

**TROY CITY
FINANCE COMMITTEE AGENDA
REGULAR MEETING
December 17, 2015
6:00 P.M.**

**TROY CITY COUNCIL AGENDA
REGULAR MEETING
January 7, 2016
7:00 P.M.**

Pledge of Allegiance
Roll Call
Good News Agenda
Vacancy List

Pursuant to Section 2.72-2 entitled "Public Forum" of the Special Rules of Order of the Troy City Council a period of time shall be designated during each regular or special meeting of the City Council as a public forum during which citizens of the City shall be permitted to address the Council on legislation on that meeting's agenda and on any subject appropriate to the conduct of Troy City government. Length of time allotted for citizen comment shall be no longer than five (5) minutes per speaker. At the completion of the agenda, citizen's comment shall be no longer than five (5) minutes per speaker appropriate to any subject to the conduct of Troy City government.

LOCAL LAW

ORDINANCES

112. Ordinance Appropriating the Various Amounts in the Annual Budget for the Year 2016 and Levying Taxes in the Amount Required thereby to Be Raised. (Council President Wiltshire) (At the Request of the Administration)
113. Ordinance Amending the Code Of Troy, Chapter 141 Buildings , Article I Building Code, Section "141-34 Signs" (Council President Wiltshire)
114. Ordinance Amending the Code Of Troy, Chapter 176 Housing And Property Maintenance II Definitions (Council President Wiltshire)
115. Ordinance Amending the Code Of Troy, Chapter 177 Landlord Registry (Council President Wiltshire)
1. Ordinance to Amend the FY 2016 Budget to Receive Federal Revenue in the Amount of \$16,500 from the "Police Traffic Services Program," Grant Administered through the NYS Governor's Traffic Safety Committee and Appropriate the Funds to the Troy Police Department Accounts in The Same Amount For Expenditure. (Council President Wiltshire) (At the Request of the Administration)
2. Ordinance to Amend the FY 2016 Budget to Receive Federal Revenue in the Amount of \$6,050 From the "Bicycle Helmet And Child Safety Program," Grant Administered through the NYS Governor's Traffic Safety Committee and Appropriate the Funds to the Troy Police Department Accounts in The Same Amount For Expenditure. (Council President Wiltshire) (At the Request of the Administration)
3. Ordinance to Amend the FY 2016 Budget in the Amount Of \$5,000 to Be Received from The NYS Governor's Traffic Safety Committee and Appropriate the Funds to the Troy Police

Department Accounts in the Same Amount for Expenditure. (Council President Wiltshire) (At the Request of the Administration)

4. Ordinance Amending the 2016 Special Revenue Budget to Accept a New York State Homeland Security Grant for the Purpose of Supporting the City's Counter Terrorism Mission (Council President Wiltshire) (At the Request of the Administration)

RESOLUTIONS

84. Resolution Commending Lou Rosamilia for Distinguished Service to the City Of Troy (Council President Wiltshire)
85. Resolution Ratifying the Mayor's Execution of a Memorandum of Agreement with the Troy PBA on Retiree's Health Insurance (Council President Wiltshire) (At the Request of the Administration)
1. Resolution Authorizing and Endorsing the Mayor to Submit a Grant Application to the Hudson River Valley Greenway Under The Hudson River Valley Greenway Grant Program for a Project Entitled the Uncle Sam Trail Improvement Program (Council President Wiltshire) (At the Request of the Administration)
2. Resolution Confirming the Appointment of Monica Kurzejeski As Deputy Mayor (Council President Wiltshire) (At the Request of the Administration)
3. Resolution Confirming the Appointment of Kevin Glasheen As Corporation Counsel (Council President Wiltshire) (At the Request of the Administration)
4. Resolution Adopting a Negative Declaration for the City of Troy 2015 Water Main Replacement Project (Council President Wiltshire) (At the Request of the Administration)
5. Resolution Authorizing the Mayor to Execute an Easement for the Benefit of Niagara Mohawk Power Corporation (Council President Wiltshire) (At the Request of the Administration)
6. Resolution Recognizing January as Human Trafficking Awareness Month (Council President Wiltshire) (At the Request of the Administration)

TABLED LEGISLATION

LOCAL LAW

5. **TABLED** Local Law No. 2 (Intro #2) For 2015 Amending Sections 285-49 Of Chapter 285 Of The City Code Entitled Zoning To Provide For The Rezoning Of The Hillside And Beman Park Neighborhoods As Hereinafter Defined From R-3 To R-2 Zoning District Classification.
Passed Finance 11-19-15 waiting for Public Hearing.

ORDINANCES

RESOLUTIONS

21. **TABLED** - Resolution Authorizing the Mayor to Enter into an Agreement for the Removal/Storage and Disposal of Motor Vehicles with City of Troy Towing Contractors for the Purpose of Performing City Directed and Police Assisted Tows as Defined in the Attached Contract. (Council President Wiltshire) (At the Request of the Administration)
{Tabled on March 5, 2015 at the Regular Council Meeting}
60. **TABLED** – Resolution Ratifying the Mayor’s Execution of an Agreement with Monolith Solar. (Council President Wiltshire) (At the Request of the Administration)
{Tabled on August 20, 2015 at the Finance Committee Meeting}

**ORDINANCE APPROPRIATING THE VARIOUS AMOUNTS IN THE ANNUAL
BUDGET FOR THE YEAR 2016 AND LEVYING TAXES IN THE AMOUNT
REQUIRED THEREBY TO BE RAISED**

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The various amounts set forth in the budget estimates as amended for the year 2016 and adopted by Resolution are hereby appropriated for the several departments, bureaus, divisions, offices, courts, boards and commissions and for the several purposes specified.

Section 2. The amount of \$20,582,598 as set forth and specified in the annual budget is hereby determined to be the amount of revenue required from real property taxes for the year 2016.

Section 3. The said sum of \$ 21,287,598 is hereby levied, assessed and raised by tax on all taxable property within the City as shown in the annual assessment rolls.

Section 4. This ordinance shall take effect immediately.

Approved as to form, November 13, 2015

Ian H. Silverman, Esq., Corporation Counsel

**ORDINANCE AMENDING THE CODE OF TROY, CHAPTER 141 BUILDINGS
ARTICLE I BUILDING CODE, SECTION "141-34 SIGNS"**

BE IT ENACTED, by the City Council of the City of Troy, as follows:

Section 1: § C-141-34 of the Code of Troy is amended to read as follows with new matter underlined:

§ 141-34 Signs.

A.

The erection of signs on the front of buildings will be allowed if they are constructed of fireproof material, properly protected from the elements and firmly and permanently attached to the front of the building or structure. All signs, whether on the roof or the wall of the building shall be so constructed as to adequately resist wind pressure in accordance with the terms of the Uniform Fire Prevention and Building Code.

B.

The overhang of any sign is limited to four feet over a public sidewalk or thoroughfare with a minimum clearance of at least 12 feet between the sidewalk level and the bottom of the sign. The designs of any sign or display board having an area on one face in excess of 50 square feet must be submitted to the Director of Code Enforcement or his/her designee for approval before construction will be permitted.

C.

Note that there is an application and fee of \$100 per sign.

D.

Subsections A, B and C shall not apply in the event that signs are constructed in the City of Troy incidental to the production of a commercial artistic or cinematographic enterprise that has obtained permission from the City to undertake said commercial artistic or cinematographic enterprise.

E.

Notwithstanding any other provision of this Code to the contrary, no advertising sign, off-premises sign or billboard, as defined in § 285-93 of this Code, shall be newly constructed on or after the effective date of this subsection.

F.

Any sign, placard, banner, handbill, directional sign, or other notice or memorial/remembrance in any street right of way or on any other public property shall be allowed to stand for no more than 30 days after the event that the remembrance memorializes.

G. No such sign, placard, banner, handbill or other notice or memorial/remembrance shall be posted or erected on private property without the permission of the property owner.

H. Any handbill, placard, sign or memorial/remembrance or otherwise, affixed upon any public property posted beyond 30 days of the incident being memorialized shall be removed by the Police Department or the Department of Public Works. Notice of this removal shall be posted by the City at least 5 days prior to the memorial being removed, and this notice shall be posted near the memorial, but not affixed to the memorial. Any sacraments removed will be temporarily transferred to a City of Troy Public Works storage site for an additional 30 days where they may be retrieved by their owners prior to its permanent disposal.

Section 2: This act shall take effect January 1, 2016.

Approved as to form,

Ian H. Silverman, Esq., Corporation Counsel

**ORDINANCE AMENDING THE CODE OF TROY, CHAPTER 176 HOUSING AND
PROPERTY MAINTENANCE II DEFINITIONS**

BE IT ENACTED, by the City Council of the City of Troy, as follows:

Section 1: § C-176-14 of the Code of Troy is amended to read as follows with deleted matters stricken and new matter underlined:

§ 176-14 Word usage and terms defined.

A.

Interchangeability. Words used in the present tense include the future; words used in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural the singular.

B.

Terms defined in building code. Where terms are not defined in this section and are defined in the Uniform Fire Prevention and Building Code or in Chapter 141, Buildings, of this Code, they shall have the meanings ascribed to them in those building codes.

C.

Terms not defined. Where terms are not defined under the provisions of this chapter or under the provisions of Chapter 141, Buildings, of this Code or of the Uniform Fire Prevention and Building Code of the State of New York, they shall have ascribed to them their ordinarily accepted meanings or such as the context herein may imply.

D.

Whenever the words "multifamily dwelling," "residence building," "dwelling unit," "rooming house," "rooming unit," or "premises," are used in this chapter they shall be construed as though they were followed by the words "or any part thereof."

E.

Unless otherwise expressly stated, the following terms shall, for the purpose of this chapter, have the meanings indicated in this section.

APPROVED

As applied to a material, device or method of construction, approved by the Director of Code Enforcement and/or his/her designee under the provisions of this chapter, or approved by other authority designated by law to give approval in the matter in question.

ACCESSORY STRUCTURE

A structure, the use of which is incidental to that of a residential building and which is located on the same premises.

BASEMENT

A portion of the building partly underground but having less than half its clear height below the average grade of the adjoining ground. (See "cellar.")

BUILDING CODE

The building code officially adopted by the legislative body of the City of Troy[1]; or such other code as may be official designated by the legislative body of the City of Troy for the regulation of construction, alteration, addition, repair, removal, demolition, use, location, occupancy, and maintenance of buildings and structures.

CELLAR

The portion of the building partly underground, having half or more than half of its clear height below the average grade of adjoining ground.

DIRECTOR OF CODE ENFORCEMENT

The official designated by the City of Troy to enforce this chapter, or his/her duly authorized representative.

DWELLINGS

(1)

ONE-FAMILY DWELLING

A building containing one dwelling unit with not more than four lodgers or boarders in addition to family.

(2)

TWO-FAMILY DWELLING

A building containing two dwelling units with not more than four lodgers or boarders per family.

(3)

MULTIFAMILY APARTMENT HOUSE

A building containing more than two dwelling units.

(4)

BOARDINGHOUSE, LODGING HOUSE, TOURIST HOUSE

A building arranged or used for lodging, with or without meals, for compensation; more than four and not more than 20 individuals.

(5)

DORMITORY

A building arranged or used for lodging six but not more than 20 individuals and having common toilet and bathroom facilities.

DWELLING UNIT

One or more rooms arranged for the use of one or more individuals living together as a single housekeeping unit, with cooking, living, sanitary and sleeping facilities.

ENFORCEMENT OFFICER

The official designated herein or otherwise charged with the responsibilities of administering this chapter, or his/her authorized representatives.

EXTERIOR PROPERTY AREAS

The open space on the premises and on adjoining property under the control of owners or operators of such premises.

EXTERMINATION

The control and elimination of insects, rodents, or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poison spraying, fumigating, trapping, or by any other approved pest elimination methods.

FAMILY

A group of persons related by blood, marriage or adoption, within and including the degree of first cousins.

GARBAGE

The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

GROSS FLOOR AREA

The total area of all habitable space in a building or structure.

HABITABLE ROOM

A room or enclosed floor space arranged for living, eating, and sleeping purposes (not including bathrooms, water closet compartments, laundries, pantries, foyers, hallways and other accessory floor spaces).

HOTEL

A building arranged or used for sheltering, sleeping, or feeding, for compensation, of more than 20 individuals.

INFESTATION

The presence, within or contiguous to a multifamily dwelling, dwelling unit, rooming house, rooming unit, or premises, of insects, rodents, vermin or other pests.

MANAGING AGENT

Any individual or individuals, partnership or corporation or any similar type of business organization who accepts responsibility for and control of a building.

MOTEL

For purposes of this chapter, a motel shall be defined the same as a hotel.

MULTIFAMILY (Multiple Dwelling)

(See "dwellings.")

OCCUPANT

Any person over one year of age (including owner or operator) living and sleeping in a dwelling unit or having actual possession of said dwelling or rooming unit.

OPENABLE AREA

That part of a window or door which is available for unobstructed ventilation and which opens directly to the outdoors.

OPERATOR

Any person who has charge, care or control of a multifamily dwelling or rooming house in which dwelling units or rooming units are let or offered for occupancy.

OWNER

~~The owner or owners of the freehold of the premises or lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee or other person, firm or corporation in control of a building or their duly authorized agents. Any individual or individuals, partnership or corporation or any similar type of business organization, whether for profit or otherwise owner or owners of the freehold of the premises or lesser estate therein, in whose name title to a building stands, including a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, agent or any other person, firm or corporation directly or indirectly in control of the property.~~

OWNER OCCUPIED

A Dwelling which is actual domicile of all individual owners, all partners, or all shareholders of said dwelling.

PERSON

An individual, firm, corporation, association or partnership.

PLUMBING or PLUMBING FIXTURES

water-heating facilities, water pipes, gas pipes, garbage and disposal units, waste lavatories, bathtub, shower baths, installed clothes washing machines or other similar equipment, catch basins, drains, vents or other similarly supplied fixtures, together with all connections to water, gas, sewer or vent lines.

PREMISES

A lot, plot or parcel of land, including the building and structures thereon.

PROCESS

A summons or any notice, mandate or any other paper process issued under any provision of the Code of the City of Troy or any law or regulation of the State of New York.

RENTAL DWELLING UNIT

A dwelling unit occupied by a party other than an owner.

RENTAL PROPERTY

Any building containing dwelling units which are either rented, leased, let or hired out to be occupied for residential or mixed use (commercial-residential), whether owner-occupied or non-owner occupied, including transient dwellings.

RESIDENCE BUILDING

A building in which sleeping accommodations or sleeping accommodations and cooking facilities as a unit are provided; except when classified as an institution under the Uniform Fire Prevention and Building Code.[2]

RESIDENTIAL UNIT

One or more rooms with provision for sanitary and sleeping facilities, for food preparation, for living and for working.

ROOMING HOUSE

Any residence building, or any part thereof, containing one or more rooming units, in which space is let by the owner or operator to more than four persons who are not members of the same family. (See "dwellings," "boardinghouse.")

ROOMING UNIT

Any room or group of rooms forming a single habitable unit, used or intended to be used for living and sleeping but not for cooking or eating purposes.

RUBBISH

Combustible and noncombustible waste materials, except garbage; and the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar material.

SUPPLIED

Installed, furnished or provided by the owner or operator.

TENANT

A party whose right to possession of a rental unit is subject to the express or implied consent of the owner.

TRANSIENT DWELLING

As defined by Title 9(NYCRR) Multiple Dwelling Law, Article 1, §4(9) Class B Multiple Dwelling Occupied Transiently. These include, but are not limited to hotels, lodging houses, rooming houses, boarding houses, boarding schools, furnished room houses, lodgings, club houses, college and school dormitories. Transient dwelling exclude hospitals, convents, monasteries, asylums of public institutions.

VENTILATION

The process of supplying and removing air by natural or mechanical means to or from any space.

(1)

MECHANICAL

Ventilation by power-driven devices

(2)

NATURAL

Ventilation by opening to outer air through windows, skylights, doors, louvers or stacks, without wind-driven devices.

WORKMANLIKE

Whenever the words "workmanlike state of maintenance and repair" are used in this chapter, they shall mean that such maintenance and repair shall be made in a reasonably skillful manner.

YARD

An open, unoccupied space on the same lot with a building, extending along the entire length of a street or rear or interior lot line.

Section 2: This act shall take effect immediately.

Approved as to form, December 10, 2015

Ian H. Silverman, Esq., Corporation Counsel

ORDINANCE AMENDING THE CODE OF TROY, CHAPTER 177 LANDLORD REGISTRY

BE IT ENACTED, by the City Council of the City of Troy, as follows:

Section 1: § C-177 of the Code of Troy is amended to read as follows with deleted matters stricken and new matter underlined:

~~Chapter 177: Landlord Registry~~

~~Article I: Purpose and Definitions~~

a) ~~§ 177-1 Purpose.~~

~~The purpose of this chapter is to establish a procedure for the identification and registration of rental properties and to ensure that the City of Troy, hereinafter "City," has a meaningful, efficient, and effective means of communicating with the persons and companies who own said rental property. This chapter is adopted to promote the health and safety of tenants and residents of the City and to alleviate conditions of substandard housing, including slums and blight.~~

b) ~~§ 177-2 Enforcement.~~

~~This registry shall be enforced by the Bureau of Code Enforcement. See § 176-5, Enforcement authority.~~

e) ~~§ 177-3 Definitions.~~

~~As used in this chapter, the following terms shall have the meanings indicated:~~

~~MANAGING AGENT~~

~~Any individual or individuals, partnership or corporation or any similar type of business organization who accepts responsibility for and control of a building.~~

~~OWNER~~

~~Any individual or individuals, partnership or corporation or any similar type of business organization, whether for profit or otherwise, in whose name title to a building stands, including~~

~~a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, agent or any other person, firm or corporation directly or indirectly in control of the property.~~

~~PROCESS~~

~~A summons or any notice, mandate or any other paper process issued under any provision of the Code of the City of Troy or any law or regulation of the State of New York.~~

~~RENTAL PROPERTY~~

~~Any building containing residential units which are either rented, leased, let or hired out to be occupied for residential or mixed use (commercial residential), and are nonowner occupied. For any rental property to be considered owner occupied, the owner must prove that all individual owners, all partners, or all shareholders of a corporation actually have their principal residence at the rental property and reside therein on a full-time basis, it being the actual domicile of all individual owners, all partners, or all shareholders. At the request of the City, any owner who claims to occupy the rental property shall provide a sworn affidavit providing the necessary information to support his or her claim that the premises are owner occupied.~~

~~RENTAL UNIT~~

~~A residential unit occupied by a party other than an owner.~~

~~RESIDENTIAL UNIT~~

~~One or more rooms with provision for sanitary and sleeping facilities, for food preparation, for living and for working.~~

~~TENANT~~

~~A party whose right to possession of a rental unit is subject to the express or implied consent of the owner.~~

~~Article II: Property Registration~~

~~d) — § 177-4 Registry Authority.~~

~~A.~~

~~The Registry Authority shall be responsible for administering and managing the Landlord Registry.~~

~~B.~~

~~The duties of the Registry Authority shall be fulfilled by the Bureau of Information Services (B.I.S.), with the assistance of the Bureau of Code Enforcement.~~

e) ~~§ 177-5 Registration of owner.~~

A.

~~The owner of a property constituting a rental property shall register the same with the Registry Authority within 90 days of the effective date of this chapter. The registration form shall be known as a "landlord registration statement," and shall be signed and affirmed by the property owner of record and, if applicable, the managing agent.~~

B.

~~It shall be unlawful for any owner to offer any unit for rent, or to rent any unit, or to allow any rental unit to be occupied without having first registered pursuant to this chapter as required herein within the time prescribed for such registration. Failure to receive notice of the registration deadline shall not be a defense for failure to register rental property. It is the owner's responsibility to fulfill the requirements of this article.~~

f) ~~§ 177-6 Designation of managing agent.~~

A.

~~In the event that the owner of a rental property does not reside within 20 miles of the City limits, or if the owner is not a natural person, such owner shall be required to designate a managing agent.~~

B.

~~The managing agent shall be a natural person, 18 years of age or older, who actually resides within 20 miles of the City limits or has a regular place of business within 20 miles of the City limits.~~

C.

~~The managing agent shall be designated by the owner as the person responsible for and in control of the maintenance and operation of such rental property and upon whom process may be served on behalf of the owner.~~

D.

~~Nothing contained in this section shall be construed as preventing a corporation which is an owner of real property from designating as its managing agent with respect thereto any officer of such corporation who meets the requirements of this section as to location of the residence or the place of transacting business of the managing agent.~~

E.

~~Any designation as managing agent made pursuant to the provisions of this section shall remain in full force and effect until changed or terminated as herein provided.~~

~~g) — § 177-7 Landlord registration statement.~~

~~A.~~

~~Every owner of a rental property, as defined above, shall file with the Registry Authority, within 90 days after the adoption of this chapter, a landlord registration statement on forms to be supplied by the Registry Authority, containing the following information:~~

~~(1)~~

~~Property description: a description of the premises, including address, number of units, number of floors, total number of bedrooms, whether the units are rented or leased, the name listed on the property deed, and any other identifying information as requested by the Registry Authority.~~

~~(2)~~

~~Owner information: the owner's name, physical address (P.O. box is not acceptable), mailing address, and primary and secondary voice telephone numbers. If available, a fax number and/or an e-mail address may be provided.~~

~~(3)~~

~~Designation of managing agent. If a managing agent is required by § 177-6, then the owner shall provide the following information: the name, business address, business telephone number, and fax number of the managing agent.~~

~~(4)~~

~~Insurance information: the name, address, and business telephone number of the insurance provider, along with a copy of the insurance policy.~~

~~B.~~

~~The owner shall be obligated, at all times, to keep this information updated, and when there is a change in any of the requested items (ownership, managing agent, insurance coverage, etc.), the owner shall update the information by amending the landlord registration statement within 90 days from the date of any such change.~~

~~[Amended 3-1-2012 by Ord. No. 3]~~

~~C.~~

~~Upon completion, execution and submission of the landlord registration statement as aforesaid, said registration shall be reviewed by the Registry Authority or their its designee for adequacy. Should the Registry Authority and/or its designee determine that said application is incomplete for any reason, said application shall be marked "rejected" and returned to the filer. A rejected application shall not be deemed compliant with the requirements of this article.~~

~~D.~~

~~Where, after filing any landlord registration statement in relation to any rental property under the applicable provisions of this article, the owner of such property shall have granted or transferred his/her right, title or interest therein or in any part thereof, the new owner shall file a new landlord registration statement with the Registry Authority within 90 days after such grant or transfer.~~

~~{Amended 3-1-2012 by Ord. No. 3}~~

~~E.~~

~~Any designation of the managing agent made pursuant to the applicable provisions of this section shall cease to be effective if such agent shall die or be judicially declared incompetent. An owner may terminate such designation by filing with the Registry Authority a sworn written statement designating a new managing agent made in conformity with the provisions previously cited.~~

~~F.~~

~~The landlord registration statement shall be signed by the owner, or if such owner is a corporation, by an officer thereof, or if such owner is a partnership, by a partner thereof, and said statements must be sworn to under the penalties of perjury.~~

~~G.~~

~~If a managing agent is designated pursuant to the applicable provisions of this section, the landlord registration statement shall also be signed by said managing agent.~~

~~H.~~

~~Any such landlord registration statement or designation of a managing agent shall be deemed prima facie proof of the statement therein contained, in any criminal or civil prosecution instituted by the City or by any proper prosecutorial agency against the owner or managing agent of a rental property.~~

~~h) — § 177-8 Fees.~~

~~A.~~

~~There shall be a filing fee of \$150 per rental property, which shall be paid with the filing of the landlord registration statement, as outlined in § 177-7 herein. The Registry Authority is hereby authorized to waive the above filing fee so long as the landlord registration statement is received by the Registry Authority within 90 days of the effective date of this chapter, or within 90 days of landlord receipt of a certificate of occupancy for newly constructed residential units.~~

~~B.~~

~~There shall be a late fee assessed in the amount of \$75 for each additional 60 days that a rental property remains unregistered in violation of any registration period defined hereinabove.~~

~~C.~~

~~All unpaid fees imposed on or after the effective date of this chapter shall be added to the annual City tax levy for each affected property.~~

~~i) — § 177-9 Penalties for offenses.~~

~~Any person who fails to comply with the provisions of this chapter shall be guilty of a violation and, upon conviction thereof, shall be subject to a fine of not less than \$100 nor more than \$500, or imprisonment not to exceed 15 days, or both.~~

Chapter 177. RESIDENTIAL OCCUPANCY PERMIT & RENTAL DWELLING REGISTRY

GENERAL REFERENCES

Housing and property maintenance — See Ch. 176.

Article I. Purpose and Definitions

§ 177-1. Purpose.

The purpose of this chapter is to establish a procedure for the identification, inspection and registration of rental properties and to ensure that the City of Troy, hereinafter "City," has a meaningful, efficient and effective means of communicating with the persons and companies who own said rental property while enhancing partnerships with property owners and tenants.

The goals of the program are to facilitate neighborhood stabilization, foster clean and safe rental properties without diminishing the availability and affordability.

This chapter is adopted to promote the health and life safety of tenants and residents of the City and to alleviate conditions of substandard housing, including slums and blight.

§ 177-2. Definitions.

As used in this chapter, the following terms shall have the meanings defined in § 177-16:

Article II. General Provisions§ 177-3. Application and availability of remedies; authority to issue regulations; severability.

A. The Rules and Regulations of the State of New York Department of State, Title 19 (NYCRR), Chapter XXXII – Division of Code Enforcement and Administration, Part 1203 – Uniform Code: Minimum Standards for Administration and Enforcement provides statutory authority for this Chapter 177 as follows: 1203.3 (h) Fire safety and property maintenance inspections: Provisions shall be made for: (2) fire safety and property maintenance inspections of all multiple dwellings and all nonresidential occupancies at intervals consistent with local conditions, but in no event shall such intervals exceed one year for dormitory buildings and three years for all other buildings.

B. If a provision of this chapter is found to be inconsistent with any provision of other chapters of the City Code or Charter, the provision or requirement which is the more restrictive or which establishes the higher standard shall prevail. A greater penalty shall not be considered as more restrictive or a higher standard.

C. The Director of Code Enforcement shall have the authority to issue such regulations as may be necessary to implement the provisions of this code.

D. If any part, provision, section, subdivision, paragraph, or term of this chapter shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to invalidate the remaining chapter, parts, provisions, sections, subdivisions, paragraphs, or terms.

Article III. Administration and Compliance§ 177-4. Title.

This article shall be known as the "Administration and Compliance Provisions of the Rental Dwelling Registry and Residential Occupancy Permit Code."

§ 177-5. Scope, Administration and Enforcement.

The Bureau of Code Enforcement shall be designated and charged with the duty to administer, designate inspectors, enforce and secure compliance with this chapter and Chapter 176 Article III "Environmental Requirements". See § 176-3 Matters covered, and § 176-5, Enforcement authority.

A. The provisions of this article shall apply to the maintenance, repair, equipment, use and occupancy of all residential rental buildings and structures now in existence or hereafter constructed, rehabilitated, renovated or converted to residential use, except those buildings and structures specifically excluded from the provisions of this article as defined in § 177-12.

B. Mobile homes shall be regulated and inspected in accordance with the following classifications:

1. The class of mobile homes denoted as manufactured homes, as defined in 42 USC 5402(6), shall bear a data plate, serial number and certification label as required by Manufactured Home Construction and Safety Standards, Department of Housing and Urban Development (1985), sections 3280.5, 3280.6 and 3280.8, or shall meet the requirements of section 3280.7;

2. All mobile homes shall be inspected for general conformity with the Manufactured Home Construction and Safety Standards as such standards govern fire safety, plumbing, mechanical and electrical systems and general construction;

3. A mobile home showing no evidence of modification and generally well-maintained as set forth in this article, shall be issued a certificate in the same manner as any other dwelling subject to this article.

§ 177-6. Designation of managing agent.

A. In the event that the owner of a rental property does not reside within 20 miles of the City limits, or if the owner is not a natural person, such owner shall be required to designate a managing agent.

B. The managing agent shall be a natural person, 18 years of age or older, who actually resides within 20 miles of the City limits or has a regular place of business within 20 miles of the City limits.

C. The managing agent shall be designated by the owner as the person responsible for and in control of the maintenance and operation of such rental property and upon whom process may be served on behalf of the owner.

D. Nothing contained in this section shall be construed as preventing a corporation which is an owner of real property from designating as its managing agent with respect thereto any officer of such corporation who meets the requirements of this section as to location of the residence or the place of transacting business of the managing agent.

E. Any designation as managing agent made pursuant to the provisions of this section shall remain in full force and effect until changed or terminated as herein provided.

Article IV. Property inspection§ 177-7. Inspection and certification required; period of validity.

All non-owner occupied residential rental dwelling units except those buildings and structures specifically excluded from the provisions of this article as defined in § 177-12, are subject to; and shall be inspected and certified by the Bureau of Code Enforcement, which shall determine compliance with, administer and enforce all applicable provisions of this chapter, Chapter 176 Article III "Environmental Requirements", the City Code, and the New York State Uniform Fire Prevention and Building Code (hereinafter "Uniform Code"). On or after July 1, 2016,

A. At least thirty (30) days prior to initial occupancy as a rental property or within thirty (30) days subsequent to a change in ownership status, the owner or agent of a rental property shall apply to the Bureau of Code Enforcement for inspection of the structure and all units therein. The owner of the property shall be required to sign and return the application, along with the fees, which will include the following information.

1. _____

PROPERTY OWNER INFORMATION

Name(s):

Mailing Address:

Phone (1):

Phone (2):

Day Time Fax:

Evening Fax:

Email Address:

MANAGER/AGENT INFORMATION

Name(s):

Mailing Address:

Address at which the designated Manager/Agent agrees to receive notice and delivery of official documents

Day Time Phone:

Evening Phone:

Day Time Fax:

Evening Fax:

Email Address:

PROPERTY INFORMATION

Address:

Property Type:

Description:

Number of Rental Units:

B. Prior to the renewal inspection of a structure with an existing rental certificate the Neighborhood Inspections Division shall send the property owner or agent a notice of expiration and application update that shall be signed and returned. The notice shall include the expiration date of the current certificate and pertinent information for renewal of the certificate.

C. The designated inspector shall inspect the property. If the property is in compliance with this article, the certificate will be issued.

D. Residential Occupancy Permits shall be valid for two years from the date of issuance for all rental dwellings and shall be valid for one year from the date of issuance for all transient dwellings. Said permit shall become invalid if the building is declared vacant as per §141-19 of the City Code.

E. Nothing contained herein shall be construed or operate to invalidate an otherwise legally effective certificate of compliance or certificate of occupancy, except that such certificate shall only be valid for two years from the date of issuance. Owners of properties holding said certificates must still file a Rental Dwelling Registration Statement as defined in § 177-16 within 30 days of notice to comply with this chapter and provide copies of said certificates with their submission.

§ 177-8. Display of permit.

Each rental dwelling, except single family and duplex dwellings, shall prominently display in the public area of the said structure the Residential Occupancy Permit required by this article.

A. The owner of single family and duplex dwellings must be able to show a copy of the rental certificate upon request.

B. The rental certificate issued under this article shall contain the following information:

1. The address and type of structure;
2. The date of inspection;
3. The date of issuance;
4. The expiration date.

§ 177-9. Inspection and residential occupancy permit; noncompliance.

A. It shall be the duty of the Bureau of Code Enforcement or it's duly appointed agents to schedule the initial inspection of a rental dwelling unit, apartment, or tenement as well as re-inspections at each two-year anniversary of the issuance of a Residential Occupancy Permit.

B. An owner or agent may file with the Bureau of Code Enforcement a request for such inspection and the issuance of a Residential Occupancy Permit by regular mail or in person at the office of the Director of the Bureau or his or her designee.

C. If, upon inspection, said premises do not comply with all applicable provisions of this code or the Uniform Code,

1. The specific reasons for noncompliance shall be given in writing and Include a description of the real estate sufficient for identification.
2. A time limit not to exceed 30 days shall be directed for the correction of, or substantial effort to correct, the deficiencies noted. Any maintenance items which cannot be completed at this time because of weather constraints may be granted a time extension. Time extensions to be negotiated with the owner/agent of the property and the inspector.
3. State that if upon re-inspection a violation still exists the Bureau of Code Enforcement shall order that the rental certificate be suspended and the structure vacated.
4. The notice of noncompliance shall be delivered personally or by mail within seven business days to the owner, agent or person in charge of the property, and to any occupant who so requests.

D. Occupants or proposed occupants of dwellings shall have the right to view the Residential Occupancy Permit of the residential rental dwelling unit, apartment, or multiple residence in which they have an interest at no cost.

E. No residential occupancy permit shall be issued under this article unless:

- (1) The rental dwelling unit is an authorized use pursuant to Chapter 285, Zoning.

(2) The property is current and paid to date on its school taxes, property taxes, and city fees, including water, sewer, and recycling fees.

(3) All other applicable provisions and requirements of the Code of the City of Troy are complied with and met.

F. Nothing in this article shall be construed to limit the right of the Bureau of Code Enforcement to inspect any property at any time. If, after issuing a residential occupancy permit, the Bureau receives a complaint alleging a violation of this chapter or other chapter of the City Code, other than a violation that creates an imminent hazard to the public health safety or to the physical or mental health of the occupants of the rental property, the Bureau of Code Enforcement shall make a good-faith effort to notify the owner or agent of the complaint, by either telephone or regular mail, before conducting an inspection under this chapter, and shall provide to the owner or agent one working day from the date the owner or agent receives the notice to explain what steps the owner or agent is taking to correct the violation. The Bureau of Code Enforcement may take steps necessary, by inspection or other means, to assure that the violation is corrected.

G. Habitual violators.

1. An owner who fails to correct a violation within the time period given by notice and who has been required to appear before the Housing Appeals Board for such failure three times or on three separate properties during a 12-month period shall be deemed a habitual violator if found by the board to have failed to correct the violations without good cause. Upon finding that the owner is a habitual violator, an agent or representative of such owner may also be deemed a habitual violator as to those properties.

2. The Housing Appeals Board is authorized to order the unified inspection of all properties owned or managed by a habitual violator. The owner or manager may be placed on an accelerated inspection schedule by the Bureau of Code Enforcement, thereby reducing certification periods, if the result of the unified inspection justifies such action.

§ 177-10. Continuation of certain preexisting conditions.

Existing conditions not in strict compliance with this code may be permitted to continue where the Bureau of Code Enforcement, in accordance with the Existing Building Code of New York State, finds that the exceptions do not constitute a hazard to life, health or property.

§ 177-11. Fees for Inspections.

A. The fees in § 176-8 shall apply for all inspections and permits required in this chapter.

1. Should a unit fail inspection, a re-inspection shall be required and the initial re-inspection shall be free of charge.

2. Each subsequent re-inspection thereafter until that unit passes shall result in a re-inspection fee of \$25 per unit.

3. If the inspector allows the deficiency or deficiencies to be proved corrected by photographic evidence, the inspector may accept photographic evidence provided by the owner or agent as proof of satisfying the initial re-inspection.

F. Rental dwellings which have been issued two consecutive Residential Occupancy Permits with no deficiencies and without re-inspections or subsequent code violations shall become exempt from re-inspection for a period of six years and shall self-certify that the rental dwelling is in compliance with all city codes.

1. The owner or agent must continue to file for and pay the fee for the Residential Occupancy Permit at the subsequent 2 year anniversary dates.

2. During this period, the owner or agent must self-certify that the rental dwelling is in compliance with the requirements to receive the Residential Occupancy Permit.

3. A Code violation issued during the six year self-certification period will require a complete inspection prior to the issuance of the next Residential Occupancy Permit.

4. Transfer of Property ownership and or change of management agent will require a complete inspection prior to the issuance of the next Residential Occupancy Permit.

§ 177-12. Exceptions and Exemptions from Inspections and Fees

A. EXCEPTIONS: The provisions of this article do not apply to:

1. Buildings, structures and uses owned, licensed and operated by any governmental unit or governmental agency;

2. Single-family dwellings occupied by the owner, as defined in this § C-176-14, or members of that owner's immediate family. Such members are defined as parents, grandparents, children and grandchildren.

a) Owners must register the names of the immediate family members who reside in the dwelling on an annual basis and whenever there is a change in occupancy;

3. Transient shelters and group homes subject to state inspection;

4. Residential structures in which ownership passes to a governmental unit;

5. Where a nonresidential business or activity or a state-licensed or state-approved use occupies a portion of a building and the building contains premises which would otherwise be subject to this article, this article shall be and remain applicable to the residential and common or public areas of such building and premises;

6. A duplex, at least one of the units of which is occupied by the owner, as defined in this chapter, and the other unit is occupied by a member of that owner's immediate family, as defined in subsection (2) of this section.

7. Owner occupied rental dwellings containing not more than one rental unit.

8. Owner occupied rental dwellings owned by one or more natural persons, all of whom are aged 65 or older.

B. Change in owner or occupancy status will remove this exemption status and will subject the rental dwelling to all provisions in this article including filing for and performing a complete inspection prior to the issuance of a Residential Occupancy Permit.

C. This exemption does not apply to fines assessed for violations or non-compliance with this or other chapters of the code.

§ 177-13. Transient-occupancy dwellings.

A. An annual inspection is required for all dwellings within the City of Troy that fall under the definition of a "Class B: Multiple Dwelling - Transient Occupancy" as defined in Title 9 of the New York Codes, Rules and Regulations. Such dwellings include but are not limited to motels, rooming or lodging houses, dormitories, fraternities, etc.

B. The fees in § 176-8 shall apply for all inspections and permits required in this chapter, if such inspections are performed or permits are issued by the Bureau of Code Enforcement.

C. Transient Occupancy Dwellings must meet the minimum standards for occupancy set forth in §176, Article IV of this chapter and must comply with the New York State Uniform Code. Upon passing inspection, a Residential Occupancy Permit shall be granted. Operation without said permit after July 1, 2017, shall be a violation of this chapter and subject the owner, managing agent, or person in possession or charge of a transient occupancy dwelling to the penalties set forth in § 177-14 of this Code.

D. Transient Occupancy Dwellings subject to inspection under different NYS statutory regulations are still required to register with the Bureau of Code Enforcement indicating the statutory authority required to perform said inspection, but in lieu of an inspection, the property owner is required to annually submit a certificate of compliance from said NYS statutory authority.

§ 177-14. Penalties for offenses.

A. Except as otherwise provided in §177-7, it shall be unlawful and a violation of this chapter for any owner, managing agent or person in possession or charge of a rental dwelling unit, apartment, tenement, or dwelling to rent, lease, or otherwise allow the occupancy of any residential rental dwelling unit without having obtained a Residential Occupancy Permit. It shall be unlawful and a violation of this chapter for any owner, managing agent or person in possession or charge of a transient occupancy unit to rent, lease, or otherwise allow occupancy of said unit without having obtained an annual operating permit as set forth in § 177-13 of this chapter.

B. Upon conviction for a violation of §177, Article IV, every owner, managing agent, or person in possession or charge of a rental dwelling unit, apartment, tenement, or transient occupancy dwelling who shall fail to comply with the provisions of this chapter shall be subject to a fine of between \$250 and \$1,000 or imprisonment not to exceed 15 days in jail or both. Each month that a violation continues shall be deemed a separate offense.

C. Failure to comply with a violation order to remedy or abate shall subject the person served with the order to the penalties contained in § 176-12 of this Code for failure to comply with a lawful order of the Bureau of Code Enforcement.

Article V. Property Registration

§ 177-15. Registry Authority.

A. The Registry Authority shall be responsible for administering and managing the Rental Dwelling Registry.

B. The duties of the Registry Authority shall be fulfilled by the Bureau of Code Enforcement, with the assistance of the Bureau of Information Services (B.I.S.) and the Bureau of Assessments.

§ 177-16. Rental Dwelling Registration Statement.

A. Every owner of a rental property, as defined in §177-2 of this code, shall file with the Registry Authority, within 30 days of the issuance of a Residential Occupancy Permit, a registration statement which shall be known as a "Rental Dwelling Registration Statement," on forms to be supplied by the Registry Authority. The Rental Dwelling Registration Statement shall contain the following information:

(1) Property description: a description of the premises, including address, number of units, number of floors, total number of bedrooms, whether the units are rented or leased, the name listed on the property deed, and any other identifying information as requested by the Registry Authority.

(2) Owner information: the owner's name, physical address (P.O. box is not acceptable), mailing address, and primary and secondary voice telephone numbers. If available, a fax number and/or an e-mail address may be provided.

(3) Designation of managing agent. If a managing agent is required by §177-6, then the owner shall provide the following information: the name, business address, business telephone number, and fax number and/or e-mail address of the managing agent.

(4) Insurance information: the name, address, and business telephone number of the insurance provider, along with a copy of the insurance policy.

(5) Lease information: a blank copy of the most current lease agreement between the landlord and tenant for the rental property.

B. Upon completion, execution and submission of the Rental Dwelling Registration Statement, said registration shall be reviewed by the Registry Authority for adequacy. Should the Registry Authority determine that said application is incomplete for any reason, said application shall be marked "rejected" and returned to the filer. A rejected application shall not be deemed compliant with the requirements of this article.

C. The owner shall be obligated, at all times, to keep this information updated, and when there is a change in any of the requested items (ownership, managing agent, insurance coverage, etc.), the owner shall update the information by amending the Rental Dwelling Registration Statement within 30 days from the date of any such change.

D. Where, after filing any Rental Dwelling Registration Statement in relation to any rental property under the applicable provisions of this article, the owner of such property shall have granted or transferred his/her right, title or interest therein or in any part thereof, the new owner shall file a new Rental Dwelling Registration Statement with the Registry Authority within 30 days after such grant or transfer.

E. Any designation of the managing agent made pursuant to the applicable provisions of this section shall cease to be effective if such agent shall die or be judicially declared incompetent. An owner may terminate such designation by filing with the Registry Authority a sworn written statement designating a new managing agent made in conformity with the provisions previously cited.

F. Any such Rental Dwelling Registration Statement or designation of a managing agent shall be deemed prima facie proof of the statement therein contained, in any criminal or civil prosecution instituted by the City or by any proper prosecutorial authority against the owner or managing agent of a rental property.

G. The Rental Dwelling Registration Statement shall be signed and affirmed by the property owner of record, or if such owner is a corporation, by an officer thereof, or if such owner is a

partnership, by a partner thereof, and said statements must be sworn to under the penalties of perjury.

H. If a managing agent is designated pursuant to the applicable provisions of this section, the Rental Dwelling Registration Statement shall also be signed and affirmed by said managing agent.

§ 177-17. Late fees; penalties for offenses.

A. There shall be a late fee assessed in the amount of \$75 for a rental property whose owner or her/his agent fails to submit a completed Rental Dwelling Registration Statement within 30 days of the issuance of a Residential Occupancy Permit.

B. Any person who fails to comply with §177, Article V of this chapter beyond 90 days shall be guilty of a violation and, upon conviction thereof, shall be subject to a fine of not less than \$250 nor more than \$1,000, or imprisonment not to exceed 15 days, or both.

C. All unpaid fees imposed on or after the effective date of this chapter shall be added to the annual City tax levy for each affected property.

Section 2: This act shall take effect immediately.

Approved as to form, December 10, 2015

Ian H. Silverman, Esq., Corporation Counsel

ORDINANCE TO AMEND THE FY 2016 BUDGET TO RECEIVE FEDERAL REVENUE IN THE AMOUNT OF \$16,500 FROM THE “POLICE TRAFFIC SERVICES PROGRAM,” GRANT ADMINISTERED THROUGH THE NYS GOVERNOR’S TRAFFIC SAFETY COMMITTEE AND APPROPRIATE THE FUNDS TO THE TROY POLICE DEPARTMENT ACCOUNTS IN THE SAME AMOUNT FOR EXPENDITURE.

The City of Troy, convened in city Council, ordains as follows:

Section 1. The 2016 city budget is hereby amended to receive federal revenue in the amount of \$16,500 from the “Police Traffic Service Program,” administered through the New York State Governor’s Traffic Safety Committee and appropriate the funds to the Troy Police Department accounts in the same amount for expenditure as provided in schedule “A” entitled:

“Police Traffic Services – 2016”

Which is attached hereto and made a part hereof.

Section 2. This act shall take effect immediately.

Approved as to form, December 10, 2015

Ian H. Silverman, Corporation Counsel

MEMORANDUM OF SUPPORT

Title: Ordinance to amend the FY 2016 budget to receive federal revenue in the amount of \$16,500, administered through the NYS Governor's Traffic Safety Committee and appropriates the funds to the Troy Police Department accounts in the same amount for expenditure.

Summary of Provisions: The ordinance allows for the acceptance of a "Police Traffic Service Grant" in the Amount of \$16,500. The goal of this grant is to increase seat belt usage and reduce aggressive speeding.

Effect on Present Law: None

Purpose: The federal funds will enable the Troy Police Department to purchase the aforementioned protective equipment, which were not budgeted in the FY 2016 City Budget.

Fiscal Impact: Will increase revenues and appropriations within the FY 2016 budget by \$16,500.

Council Committee: Finance

ANDREW M. CUOMO
Governor



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Governor's Traffic Safety Committee

CHUCK DEWEESE
Assistant Commissioner

Ph: (518) 474-5111
Ph: (518) 474-5777
Fx: (518) 473-6946

September 29, 2015

Salvatore Carello
Traffic Sergeant
Troy City Police Department
55 State Street
Troy, NY 12180

Re: PTS-2016-Troy City PD -00243-(042)
Police Traffic Services
DMV01-T006059-3700393
CFDA #: 20.600
EFFECTIVE DATE: October 1, 2015

Dear Traffic Sergeant Salvatore Carello:

On behalf of Governor Andrew M. Cuomo, I am pleased to notify you that the Troy City Police Department has been awarded \$16,500 to participate in the statewide Police Traffic Services Program. Our goal is to increase seat belt usage and reduce dangerous driving behaviors in an effort to reduce serious injury and death from traffic crashes. Please note all grants will be effective only upon final approval by the New York State Office of the State Comptroller.

Before incurring any project related expenses, login to eGrants to review your approved budget as it may have been reduced or otherwise changed from what was requested.

Thank you for participating in this very important statewide enforcement program. I wish you success in your efforts. If you have any questions, please contact the Governor's Traffic Safety Committee at (518) 474-5111.

Sincerely,

A handwritten signature of Charles R. DeWeese in cursive.

Charles R. DeWeese
Assistant Commissioner

CRD:lo
Enclosure
cc: Joseph Mazzariello



Department of
Motor Vehicles

Schedule A

Police Traffic Services

	Original *		Revised
	<u>Budget</u>	<u>Change</u>	<u>Budget</u>
2016 Budget Amendment			
<u>General Fund</u>			
Revenue - A510			
A.3000.4389.0088			
Federal Funds Police Traffic Svces.	\$0.00	<u>\$16,500.00</u>	\$16,500.00
Expenditures - A960			
A3120-0103-0088			
Police _Overtime Traffic Enforcement	\$0.00	<u>\$16,500.00</u>	\$16,500.00

*Or as previously amended

ORDINANCE TO AMEND THE FY 2016 BUDGET TO RECEIVE FEDERAL REVENUE IN THE AMOUNT OF \$6,050 FROM THE “BICYCLE HELMET AND CHILD SAFETY PROGRAM,” GRANT ADMINISTERED THROUGH THE NYS GOVERNOR’S TRAFFIC SAFETY COMMITTEE AND APPROPRIATE THE FUNDS TO THE TROY POLICE DEPARTMENT ACCOUNTS IN THE SAME AMOUNT FOR EXPENDITURE.

The City of Troy, convened in city Council, ordains as follows:

Section 1. The 2016 city budget is hereby amended to receive federal revenue in the amount of \$6,050.00 from the “bicycle helmet and child safety program,” administered through the New York State Governor’s Traffic Safety Committee and appropriate the funds to the Troy Police Department accounts in the same amount for expenditure as provided in schedule “A” entitled:

“Bicycle Helmet and Child Safety Program – 2016”

Which is attached hereto and made a part hereof.

Section 2. This act shall take effect immediately.

Approved as to form, December 10, 2015

Ian H. Silverman, Corporation Counsel

MEMORANDUM OF SUPPORT

Title: Ordinance to amend the FY 2016 budget to receive federal revenue in the amount of \$2,550 for the “Bicycle Helmet” and \$3,500 for the ” Child Safety” Program, administered through the NYS Governor’s Traffic Safety Committee and appropriates the funds to the Troy Police Department accounts in the same amount for expenditure.

Summary of Provisions: The ordinance allows for the acceptance of a “Bicycle Helmet Safety Program” that will enable the Troy Police Department to purchase needed bicycle helmet (\$2,500) and the acceptance of a Child Passenger Safety Program that will allow for the purchase needed child safety seats (\$ 3,500)

Effect on Present Law: None

Purpose: The federal funds will enable the Troy Police Department to purchase the aforementioned protective equipment, which were not budgeted in the FY 2016 City Budget

Fiscal Impact: The “Bicycle Helmet” funds of \$ 2,550 and the “Child Safety” funds of \$3,500 will increase revenues and appropriations within the FY 2016 budget by \$6,050.

Council Committee: Finance

Schedule A

Bicycle Helmet and Child Safety Program

		Original *		Revised
		<u>Budget</u>	<u>Change</u>	<u>Budget</u>
2016 Budget Amendment				
<u>General Fund</u>				
Revenue - A510				
A.3000.4389.0082				
Federal Funds				
Bicycle Helmet Safety	\$2,550			
Child Passenger Safety	\$3,500	\$0.00	<u>\$6,050.00</u>	\$6,050.00
Expenditures - A960				
Public Safety Police				
A3120-303-0082				
Other Materials and				
Supplies_BHS and Child				
Safety Prog		\$0.00	<u>\$6,050.00</u>	\$6,050.00

*Or as previously amended

ANDREW M. CUOMO
Governor



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Governor's Traffic Safety Committee

CHUCK DEWEESE
Assistant Commissioner

Ph: (518) 474-5111
Ph: (518) 474-5777
Fx: (518) 473-6946

September 23, 2015

Salvatore Carello
Traffic Sergeant
Troy City Police Department
55 State Street
Troy, NY 12180

Re: HS1-2016-Troy City PD -00151-(042)
Bicycle Helmet Safety
SA00000180
CFDA #: 20.600
EFFECTIVE DATE: October 1, 2015

Dear Traffic Sergeant Salvatore Carello:

On behalf of Governor Andrew M. Cuomo, I am pleased to notify you that the Troy City Police Department has been awarded \$2,550 to participate in the New York State's Highway Safety Program. Our goal is to reduce the number of crashes, injuries and deaths on New York's roads. Please note all grants will be effective only upon final approval by the New York State Office of the State Comptroller.

Before incurring any project related expenses, login to eGrants to review your approved budget as it may have been reduced or otherwise changed from what was requested.

Thank you for participating in New York State's Highway Safety Program. I wish you success in your efforts. If you have any questions, please contact the Governor's Traffic Safety Committee at (518) 474-5111.

Sincerely,

Charles R. DeWeese
Assistant Commissioner

CRD:lo
Enclosure
cc: Joseph Mazzariello



Department of
Motor Vehicles

ANDREW M. CUOMO
Governor



Governor's Traffic Safety Committee

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CHUCK DEWEESE
Assistant Commissioner

Ph: (518) 474-5111
Ph: (518) 474-5777
Fx: (518) 473-6946

September 28, 2015

Salvatore Carello
Traffic Sergeant
Troy City Police Department
55 State Street
Troy, NY 12180

Re: CPS-2016-Troy City PD -00230-(042)
Child Passenger Safety Program
CFDA #: 20.600
EFFECTIVE DATE: October 1, 2015

Dear Traffic Sergeant Salvatore Carello:

On behalf of Governor Andrew M. Cuomo, I am pleased to notify you that the Troy City Police Department has been awarded \$3,500 to participate in the statewide "Child Passenger Safety" program. Our goal is to increase the proper use and installation of child safety seats in New York State. Please note all grants will be effective only upon final approval by the New York State Office of the State Comptroller.

Before incurring any project related expenses, login to eGrants to review your approved budget as it may have been reduced or otherwise changed from what was requested.

Thank you for participating in this very important statewide program. I wish you success in your efforts. If you have any questions, please contact the Governor's Traffic Safety Committee at (518) 474-5111.

Sincerely,

A handwritten signature in cursive script that reads "Charles R. DeWeese".

Charles R. DeWeese
Assistant Commissioner

CRD:lo
Enclosure
cc: Joseph Mazzariello



ORDINANCE TO AMEND THE FY 2016 BUDGET IN THE AMOUNT OF \$5,000 TO BE RECEIVED FROM THE NYS GOVERNOR'S TRAFFIC SAFETY COMMITTEE AND APPROPRIATE THE FUNDS TO THE TROY POLICE DEPARTMENT ACCOUNTS IN THE SAME AMOUNT FOR EXPENDITURE.

The City of Troy, convened in city Council, ordains as follows:

Section 1. The 2016 city budget is hereby amended to receive \$ 5,000 from the New York State Governor's Traffic Safety Committee and appropriates the funds to the Troy Police Department accounts in the same amount for expenditure as provided in schedule "A" entitled:

"Pedestrian Education and Enforcement Safety Corridor 2016"

which is attached hereto and made a part hereof.

Section 2. This act shall take effect immediately.

Approved as to form, December 11, 2015

Ian H. Silverman, Corporation Counsel

MEMORANDUM OF SUPPORT

Title: Ordinance to amend the FY 2016 budget to receive \$5,000.00 from NYS Governor's Traffic Safety Committee and appropriates the funds to the Troy Police Department accounts in the same amount for expenditure.

Summary of Provisions: To participate in the New York State Highway Safety Program

Effect on Present Law: None

Purpose: Goal of these funds is to reduce the number of crashes, injuries and deaths on New York roads.

Fiscal Impact: None, 100% reimbursed

Council Committee: Finance

ANDREW M. CUOMO
Governor



**Governor's Traffic
Safety Committee**

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CHUCK DEWEESE
Assistant Commissioner

Ph: (518) 474-5111
Ph: (518) 474-5777
Fx: (518) 473-6946

Support Ord #3

September 23, 2015

Salvatore Carello
Traffic Sergeant
Troy City Police Department
55 State Street
Troy, NY 12180

Re: HS1-2016-Troy City PD -00160-(042)
Pedestrian Education and Enforcement Safety Corridor
SA00000197
CFDA #: 20.600
EFFECTIVE DATE: October 1, 2015

Dear Traffic Sergeant Salvatore Carello:

On behalf of Governor Andrew M. Cuomo, I am pleased to notify you that the Troy City Police Department has been awarded \$5,000 to participate in the New York State's Highway Safety Program. Our goal is to reduce the number of crashes, injuries and deaths on New York's roads. Please note all grants will be effective only upon final approval by the New York State Office of the State Comptroller.

Before incurring any project related expenses, login to eGrants to review your approved budget as it may have been reduced or otherwise changed from what was requested.

Thank you for participating in New York State's Highway Safety Program. I wish you success in your efforts. If you have any questions, please contact the Governor's Traffic Safety Committee at (518) 474-5111.

Sincerely,

Charles R. DeWeese
Assistant Commissioner

CRD:lo
Enclosure
cc: Joseph Mazzariello



**Department of
Motor Vehicles**

Schedule A
Pedestrian Education and Enforcement Safety Program
Public Safety Police

	<u>Original *</u> <u>Budget</u>	<u>Change</u>	<u>Revised</u> <u>Budget</u>
2016 Budget Amendment			
<u>General Fund</u>			
Revenue - A510			
A.3000.4389.0418	\$0.00	<u>\$5,000.00</u>	\$5,000.00
NYS Governor's Traffic Safety (Federal Pass Through)			
Expenditures - A960			
A3120.103.0418	\$0.00	\$5,000.00	\$5,000.00
Pedestrian Education & Safety Overtime			
Total		<u><u>\$5,000.00</u></u>	

*Or as previously amended

**ORDINANCE AMENDING THE 2016 SPECIAL REVENUE BUDGET TO
ACCEPT A NEW YORK STATE HOMELAND SECURITY GRANT FOR THE
PURPOSE OF SUPPORTING THE CITY'S COUNTER TERRORISM MISSION**

The City of Troy, convened in City Council, ordains as follows:

Section 1. The City of Troy 2016 Special Revenue Budget is herein amended as set forth in Schedule A entitled:

“Public Safety – Police
New York State Homeland Security Tactical Team Grant FY 2015

which is attached hereto and made a part hereof.

Section 2. This act shall take effect immediately.

Approved as to form, December 11, 2015

Ian H. Silverman, Corporation Counsel

**MEMORANDUM OF SUPPORT FOR AMENDING
THE 2016 SPECIAL REVENUE BUDGET**

Title: Ordinance amending the 2016 Special Revenue Budget to accept a “NY State Homeland Security Grant for the purpose supporting the City’s counter terrorism mission as well as attainment of the New York State Division of Criminal Justice Services SWAT Team Standards

**Effect on
Present Law:** None

Purpose: These funds are to be directed towards law enforcement terrorism prevention activities. They will specifically be used to purchase of body armor, ballistic helmets, tactical uniforms and outer garments.

Fiscal Impact: None - 100% Reimbursable.

Council Committee: Public Safety/Finance

SCHEDULE A
City of Troy 2016 Special Revenue Budget Amendment

Public Safety - Police
NYS Homeland Security Grant (FY 2015)
Tactical Team Grant Program

	<u>Original *</u> <u>Budget</u>	<u>Change</u>	<u>Revised</u> <u>Budget</u>
<u>Special Revenue Fund</u>			
Revenue - CD510			
CD3000.4305.8000.8333			
NYS Homeland Security	\$ -	\$ 100,000	\$ 100,000
Total Revenue Increase		<u>\$ 100,000</u>	
Expenditures - CD960			
CD.2013.0203.8000.8333			
Purchase of Equipment	\$ -	\$ 100,000	\$ 100,000
Total Expenditures Increase		<u>\$ 100,000</u>	

* or as previously revised



Homeland Security
and Emergency Services

ANDREW M. CUOMO
Governor

JOHN P. MELVILLE
Commissioner

December 7, 2015

The Honorable Louis Rosamilia
Mayor, City of Troy
433 River Street
Troy, NY 12180

Dear Mayor Rosamilia:

I am pleased to announce that the City of Troy has been awarded \$100,000 in federal funding under the FY2015 Tactical Team Grant Program. Funding for this initiative is provided through the U.S. Department of Homeland Security's (DHS) State Homeland Security Grant Program (SHSP) and is administered by the New York State Division of Homeland Security and Emergency Services (DHSES). The performance period for this award is December 7, 2015 through August 31, 2018.

As outlined in your application, this funding is provided to improve and develop tactical team capabilities through equipment, training, exercise, and planning projects that support counter terrorism missions in your jurisdiction as well as your team's attainment of the New York State Division of Criminal Justice Services (DCJS) SWAT Team Standards.

As a reminder, all capabilities developed through federal FY2015 SHSP funding are required to be deployable regionally and nationally per the Federal Notice of Funding Opportunity. In addition, funding through this grant program is subject to both New York State and federal guidelines and regulations. Finally, all training that is funded through this grant program must be submitted to DHSES within six (6) months of the date of this letter for review and approval.

A representative from DHSES's Grants Program Administration Unit will be reaching out to your grant point of contact shortly. If you have any questions about this program, please contact Jacqueline Lake at 518-242-5137.

Congratulations on your award and I look forward to working with you to administer this program.

Sincerely,

A handwritten signature in black ink, appearing to read "John P. Melville".

John P. Melville
Commissioner

Cc: Captain Brian Owens, City of Troy Police Department

<u>STATE AGENCY</u> New York State Division of Homeland Security and Emergency Services 1220 Washington Avenue Building 7A Suite 710 Albany, NY 12242	<u>NYS COMPTROLLER'S NUMBER:</u> C164159 (Contract Number) <u>ORIGINATING AGENCY CODE:</u> 01077
<u>GRANTEE/CONTRACTOR:</u> (Name & Address) Troy, City of 1 Monument Square Troy, NY 12180	<u>TYPE OF PROGRAMS:</u> WM2015 SHSP <u>CFDA NUMBER:</u> 97.067 <u>DHSES NUMBERS:</u> WM15164159
<u>FEDERAL TAX IDENTIFICATION NO:</u> 14-6002472 <u>MUNICIPALITY NO:</u> (if applicable) 380257000 000 <u>SFS VENDER NO:</u> 1000002394 <u>DUN & BRADSTREET NO:</u> 086955077	<u>INITIAL CONTRACT PERIOD:</u> FROM 12/07/2015 TO 08/31/2018 <u>FUNDING AMOUNT FOR INITIAL PERIOD:</u> \$100,000.00
<u>STATUS:</u> Contractor is not a sectarian entry. Contractor is not a not-for-profit organization.	<u>MULTI-YEAR TERM:</u> (if applicable)
<u>CHARITIES REGISTRATION NUMBER:</u> <div style="border: 1px solid black; height: 20px; width: 150px; margin: 5px 0;"></div> (Enter number of Exempt) If "Exempt" is entered above, reason for exemption. <u>0 - not exempt</u> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> Contractor has ____ has not ____ timely filed with the Attorney General's Charities Bureau all required periodic or annual written reports. </div>	<u>APPENDIX ATTACHED AND PART OF THIS AGREEMENT</u> <input type="checkbox"/> APPENDIX A Standard Clauses required by the Attorney General for all State contracts <input checked="" type="checkbox"/> APPENDIX A1 Agency-specific Clauses <input checked="" type="checkbox"/> APPENDIX B Budget <input checked="" type="checkbox"/> APPENDIX C Payment and Reporting Schedule <input checked="" type="checkbox"/> APPENDIX D Program Workplan and Special Conditions <input type="checkbox"/> APPENDIX X Modification Agreement Form (to accompany modified appendices for changes in terms or considerations on an existing period or for renewal periods) <input type="checkbox"/> DHSES-55 Budget Amendment/Grant Extension Request <input type="checkbox"/> Other - Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
IN WITNESS THEREOF, the parties hereto have electronically executed or approved this AGREEMENT on the dates of their signatures.	
NYS Division of Homeland Security and Emergency Services BY: . Date: <u>State Agency Certification:</u> "In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract". GRANTEE: BY: Mr. Louis Rosamilia , Mayor Date:	
<u>ATTORNEY GENERAL'S SIGNATURE</u> Title: _____ Date: _____	<u>COMPTROLLER'S SIGNATURE</u> Title: _____ Date: _____

Award Contract**SHSP****Project No.****Grantee Name**

TT15-1056-E00

Troy, City of

12/10/2015

Budget Summary by Participant

Troy, City of - Version 1

#	Personnel	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	Tactical training	1	\$9,850.00	\$9,850.00	\$9,850.00	\$0.00
Total				\$9,850.00	\$9,850.00	\$0.00

#	Equipment	AEL	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	Body armor	01LE-01-ARMR	1	\$35,000.00	\$35,000.00	\$35,000.00	\$0.00
2	Ballistic helmets	01LE-01-HLMT	1	\$20,000.00	\$20,000.00	\$20,000.00	\$0.00
3	Tactical uniforms and outergarments	01LE-02-BDUS	1	\$5,450.00	\$5,450.00	\$5,450.00	\$0.00
4	Tools, power, electric	03SR-02-TPEL	1	\$1,500.00	\$1,500.00	\$1,500.00	\$0.00
5	Tools, hand - exothermic torch	03SR-02-TLHN	1	\$4,000.00	\$4,000.00	\$4,000.00	\$0.00
6	Equipment, illumination, IR	04MD-01-IRIL	1	\$20,000.00	\$20,000.00	\$20,000.00	\$0.00
Total					\$85,950.00	\$85,950.00	\$0.00

#	Travel and Subsistence	Number	Unit Cost	Total Cost	Grant Funds	Matching Funds
1	Transportation, lodging and meals for training courses	1	\$4,200.00	\$4,200.00	\$4,200.00	\$0.00
Total				\$4,200.00	\$4,200.00	\$0.00

Total Project Costs	Total Cost	Grant Funds	Matching Funds
	\$100,000.00	\$100,000.00	\$0.00

Troy City Police Department

Total Contract Costs	Total Cost	Grant Funds	Matching Funds
	\$100,000.00	\$100,000.00	\$0.00

**RESOLUTION COMMENDING LOU ROSAMILIA FOR DISTINGUISHED SERVICE
TO THE CITY OF TROY**

WHEREAS, on the 31st day of December, 2015, Louis J. Rosamilia will be leaving the office of Mayor of the City of Troy; and

WHEREAS, Lou Rosamilia served the citizens of Troy for the past four years;

NOW, THEREFORE BE IT RESOLVED, that the Troy City Council does hereby pause in its deliberations to honor and commend Lou Rosamilia for the years of service he rendered in the best interests of the residents of the City of Troy; and

BE IT FURTHER RESOLVED, that the Troy City Council transmit a copy of this resolution, suitably engrossed, to Lou Rosamilia as a token of appreciation.

Approved as to form, December 8, 2015

Ian H. Silverman, Esq., Corporation Counsel

**RESOLUTION RATIFYING THE MAYOR'S EXECUTION OF A MEMORANDUM OF
AGREEMENT WITH THE TROY PBA ON RETIREE'S HEALTH INSURANCE**

WHEREAS, on June 13, 2014 the Mayor signed a Memorandum of Agreement with the Troy PBA in an attempt to clarify the years of service with the Troy Police Department that are required before a member's permanent separation from employment will be considered retirement for the purposes of receiving health insurance; now therefore,

BE IT RESOLVED, that the City Council of the City of Troy hereby ratifies the attached Memorandum of Agreement executed by Mayor Rosamilia in June of 2014.

Approved as to form, December 8, 2015

Ian H. Silverman, Esq., Corporation Counsel

Rec # 85

MEMORANDUM OF AGREEMENT
between
THE CITY OF TROY, NEW YORK
and
THE TROY POLICE BENEVOLENT AND PROTECTIVE ASSOCIATION, INC.

WHEREAS, the City of Troy, New York ("City") and the Troy Police Benevolent and Protective Association, Inc. ("PBA") are parties to a Collective Bargaining Agreement with effective dates from January 1, 2011 through December 31, 2012 (the "CBA") and a Memorandum of Agreement dated January 15, 2014 modifying certain terms thereof; and

WHEREAS, the CBA contains several paragraphs pertaining to the right of members to receive health insurance in retirement, including Article XVIII, paragraphs D, E and G, upon terms and premium payment contribution percentages specified in those several paragraphs of the CBA; and

WHEREAS, the parties seek to clarify the years of service with the City of Troy Police Department that are required before a member's permanent separation from employment will be considered to constitute retirement for the purposes of receiving health insurance under the pertinent paragraphs of the CBA; and

WHEREAS, the parties believe it is in their mutual interest to achieve certainty in regard to this criterion for eligibility and have agreed thereto; and

WHEREAS, the parties seek to memorialize their agreement;

NOW THEREFORE, in consideration of the mutual premises, benefits and covenants contained herein, the parties agree as follows:

1. For the purposes of eligibility for retiree health insurance provided under the terms of the CBA, a member shall be considered to be retired when he/she separates from service with the City of Troy Police Department after ten (10) or more years of service with the City of Troy

Police Department, regardless of the number of years of service that the member may have had in other public employment within the City of Troy or with other public employers.

2. This Agreement shall have no impact upon the parties' previous agreement, set forth in paragraph 3 of the Memorandum of Agreement dated January 15, 2014, requiring 20 years or more of service with the City of Troy in any capacity before an employee is entitled to have the City pay fifty percent (50%) of the cost of dental insurance.

3. This Agreement may be enforced pursuant to the grievance/arbitration procedure set forth in the CBA

4. The signatories represent they are fully authorized to enter into this Agreement by those on whose behalf they sign.

5. This constitutes the entire agreement of the parties.

DATED: June 13, 2014

**TROY POLICE BENEVOLENT AND
PROTECTIVE ASSOCIATION, INC.**

By Robert D. Fitzgerald
ROBERT D. FITZGERALD
President

**THE CITY OF TROY, DEPARTMENT OF
PUBLIC SAFETY. BUREAU OF POLICE**

By Lou Rosamilia
LOU ROSAMILIA
Mayor

**RESOLUTION AUTHORIZING AND ENDORSING THE MAYOR TO SUBMIT A
GRANT APPLICATION TO THE HUDSON RIVER VALLEY GREENWAY UNDER
THE HUDSON RIVER VALLEY GREENWAY GRANT PROGRAM FOR A PROJECT
ENTITLED THE UNCLE SAM TRAIL IMPROVEMENT PROGRAM**

WHEREAS, the City of Troy is applying to the Hudson River Valley Greenway for a Grant of \$5,000 under the Hudson River Valley Greenway Grant Program for a project entitled the Uncle Sam Trail Improvement Program to be located in the City of Troy; and

WHEREAS, the Uncle Sam Bike Trail, a 3.8 mile bicycle and pedestrian corridor stretching from Middleburgh Avenue to Northern Drive, is in need of improvements to enhance safety and utilization; and

WHEREAS, the City agrees to use the Greenway Grant Program funds, if awarded, to engage an urban planner to produce a master plan for physical and programmatic improvements to the Uncle Sam Bike Trail;

WHEREAS, Transport Troy, a citizens work group, in partnership with Capital Roots, TAP Inc., and the National Parks Service, will provide all required match for the grant with in-kind services;

WHEREAS, the grant application requires the applicant municipality to obtain the approval/endorsement of the governing body of the municipality in which the project will be located; and

NOW, THEREFORE, be it resolved that the City Council of the City of Troy hereby does approve and endorse the application for a grant under the Hudson River Greenway Program, for a project known as the Uncle Sam Trail Improvement Project and located within the City of Troy.

Approved as to form, December 7, 2015

Ian H. Silverman, Esq., Corporation Counsel



Hudson River Valley Greenway

Note: You must save this form to your computer before filling it out. Forms must be completed using Adobe Acrobat 7.0 or higher.

BARNABAS MCHENRY
Chairman
Greenway Council

SARA GRIFFEN
Acting Chair
Greenway Conservancy

MARK CASTIGLIONE
Acting Executive Director

Hudson River Valley Greenway Grant Application

PART A – GRANT TYPE

Please select the category of Hudson River Valley Greenway Grant program to which you are applying:

- ☒ Greenway Community Grant Program: Open to all designated Greenway Communities
- ☐ Greenway Compact Grant: Open to communities that have adopted an approved Greenway Compact Plan

PART B – APPLICANT INFORMATION

1. Lead Applicant Community: (Fiscal Agent)

City of: Troy
In County: Rensselaer

NYS Vendor ID#:

Federal Tax ID#: 14-6002472

Co-Applicant(s):

Select One of:
In County: Select One

Select One of:
In County: Select One

Select One of:
In County: Select One

2. Chief Elected Official & Lead Contact Information

Chief Elected Official of Lead Applicant Community:
(Supervisor/Mayor/County Executive) Mayor Lou Rosamilia

Mailing Address: 433 River Street, 5th floor

City: Troy

State: NY

Zip: 12180

Phone: 518-279-7412

Fax:

Email: mayor@troy.ny.gov

Lead Contact Person (if different from Chief Elected Official): Monica Kurzejeski

Title: Economic Development Coordinator

Mailing Address: 433 River Street, 5th floor

City: Troy

State: NY

Zip: 12180

Phone: 518-279-7412

Fax:

Email: Monica.Kurzejeski@troyny.gov

PART C – GENERAL PROJECT INFORMATION

1. Project Name: Uncle Sam Trail Improvement Project

2. Project Location: County/Countries: Rensselaer County

City/Town/Village(s): City of Troy

Site Address: Trail between Middleburgh St and Northern Dr in
Lansingburgh, Troy, NY

3. Applicant's Interest in Property (e.g. own, lease, easement, etc.): own

4. Project Costs:	Greenway Funds Requested:	\$	5,000.00
	Local Match - Cash:	\$	0.00
	Local Match – In-kind Services:	\$	6,300.00
	Other Funding Match:	\$	0.00
	Total Project Cost:	\$	0.00

5. SEQRA Status – Please select the appropriate action type:

Type 1 ☐

Type 2 ☐

Unlisted Action ☒

If a Determination of Significance has been made, what was the determination?

no, the SEQRA process has not been started

PART D – PROJECT DESCRIPTION & CONSISTENCY WITH GREENWAY GOALS

1. Project Description:

- (a) Please provide a brief, 50 word summary of the proposed project.

This project is to enhance the under-utilized Uncle Sam Trail in North Troy. Additional access points will be identified and planned, along with wayfinding and additional attractions, such as community gardens.

- (b) **With no more than 500 words**, please describe: (1) The location, need for and purpose of the project, and the deliverable that will be produced with Greenway grant funds. (2) How the proposed project advances each of the five “Greenway Criteria” that apply. The Greenway Criteria are: Natural and Cultural Resource Protection; Regional Planning; Economic Development; Public Access; Heritage and Environmental Education. You may attach photographs, maps, renderings, etc. (3) If the project is an intermunicipal or collaborative effort, briefly describe the partnerships and how the project reinforces regional planning or cooperation.

The Uncle Sam Trail is located in Troy, NY, from Middleburgh St. in North Troy to Northern Dr. This trail right of way used to be part of the Boston-Maine Railroad and will soon be part of a larger bikeway leading from the southern to northern edge of Troy. Although the Uncle Sam Trail was established many years ago, it is not well known or well used by residents in Troy. This is due to lack of access, amenities, and wayfinding. This project aims at correcting these issues and reversing the stigma surrounding the trail by involving the public to produce a planning document that will position the City of Troy for implementation. The plan will detail alternatives for additional access points, wayfinding signage elements, trail crossing improvements, and other amenities like lighting, all in keeping with CPTED - Crime Prevention Through Environmental Design.

Improving the Uncle Sam Trail advances economic development with this area of Troy by creating a community asset and allowing neighborhoods to more easily access it. This project will also increase public access, not only to the trail but to the community assets along it, such as Kickerbacker Park and Arena, Frear Park, Oakwood Cemetery, Lansingburgh High School, Knickerbacker Middle School, and Rensselaer Park Elementary School. By reinvigorating interest and use in the trail, it will also protect this community asset for future generations, and allow an opportunity to educate the public on the history of the trail.

The partnership for this project will not be intermunicipal but will involve several community partners, such as Transport Troy, the local active transportation advocacy group, TAP (Troy Architectural Program), and Capital Roots. The Uncle Sam Trail has potential to provide a greater regional and Hudson River link through other future projects.

- (c) Is your project a plan or planning document? If “yes”, include a proposed timetable for implementation (after completion of the document or plan), a description of the implementation steps, and whether funding sources for the implementation have been identified or secured. (100 words or fewer)

The project will result in a planning document that will be utilized to begin implementation on trail improvements immediately. It is anticipated that the access alternatives will be described in enough detail to apply for grants for construction, such as the NYS CFA in Fall of 2016. Trail signage can be implemented quickly through local project partnerships. Bicycle racks can be implemented in the spring or summer as part of the on-going Troy bike rack program. Community gardens will be implemented over the next few years through Capital Roots, along with the two existing gardens.

For Greenway Compact Grant Program Applications only:

If your municipality is a participating Greenway Compact community and applying under the Greenway Compact Grant Program, please answer the following:

2. Consistency with the Greenway Compact: Please list the name of the approved regional or county Greenway Compact Plan, and demonstrate how this project is consistent with the plan by citing specific sections or pages.

PART E – WORK PROGRAM, TIME LINE & BUDGET SUMMARY

Work Program & Time Line: Complete the information requested below and briefly list the proposed work program, by task, phase, or milestone and the timeline associated with the project. At a minimum, provide a start date and completion date for each project milestone (e.g. public input period, draft document completed, etc.). You may provide this information in an attachment. Under this grant program, reimbursable costs may **not** be incurred prior to the date of award.

Project Start Date: 02/01/2016

Expected Project Completion Date: 09/01/2016

	<u>Description</u>	<u>Start Date</u>	<u>Completion Date</u>
Phase/Task 1:	Document opportunities and challenges	02/01/2016	03/15/2016
Phase/Task 2:	Public Outreach	03/15/2016	05/01/2016
Phase/Task 3:	Development of access alternatives and amenities	05/01/2016	07/01/2016
Phase/Task 4:	Draft and Final Report	07/01/2016	09/01/2016

Budget Summary: Please identify the proposed expenditures of the project according to the following: (See worksheet below for budget and match detail)

Project Costs	Greenway Funds Requested	Local and other Funding Match	Total
Contractual/Professional Services:	\$ 5,000.00	\$ 6,700.00	\$ 11,700.00
Equipment/Supplies/Materials:	\$ 0.00	\$ 0.00	\$ 0.00
Construction:	\$ 0.00	\$ 0.00	\$ 0.00
Land Acquisition:	\$ 0.00	\$ 0.00	\$ 0.00
Total:	\$ 0.00	\$ 0.00	\$ 0.00

(Total must equal the amount of "Total Greenway Funds Requested" in Budget Detail)

(Total must equal the amount of "Total Applicant Match" line in Budget Detail and must be equal to or greater than Total Greenway Funds Requested)

Budget Detail for Greenway Funds Requested:

Contractual/Professional Services (Please specify):

professional planning services	\$	5,000.00
--------------------------------	----	----------

_____ \$ _____

_____ \$ 0.00

Total Contractual/Professional Services: \$ 5,000.00

Equipment/ Supplies/ Materials (Please specify):

	\$	0.00
--	----	------

_____ \$ 0.00

_____ \$ 0.00

Total Equipment/Supplies/Materials: \$ 0.00

Construction:

\$ 0.00

_____ \$ 0.00

_____ \$ 0.00

Total Construction: \$ 0.00

Total Greenway Funds Requested: \$ 5,000.00

Budget Detail for Applicant Match (In this section, please detail in-kind services, local match including all cash, and other funding):

1. In-kind services (salaries, wages, travel/mileage):

Salaries:

Job Title: _____

Rate of Pay: \$ _____ / _____ Hours _____ \$ _____

Hourly Wages:

Job Title: see attached _____

Rate of Pay: \$ _____ / _____ Hours 120.00 \$ 5,200.00

Volunteer Hours (valued at \$15 per hour):

Number of Volunteers: 10.00 _____

Total of all Volunteer Hours 100.00 x \$15/hour = \$ 1,500.00

Mileage (show rate and miles, rate may not exceed IRS limits):

_____ x _____ = \$ 0.00
(Rate) (Miles) (Amount)

Other Travel (specify): _____ \$ _____

Total In-Kind Services: \$ 6,700.00

Continued on next page

Budget Detail for Applicant Match Continued:

2. Land Acquisition: \$ _____

3. Contractual/Professional Services (Please specify):

_____ \$ _____ 0.00

_____ \$ _____ 0.00

Total Contractual/Professional Services: \$ _____ 0.00

4. Equipment/ Supplies/ Materials (Please specify):

_____ \$ _____ 0.00

_____ \$ _____ 0.00

Total Equipment/Supplies/Materials: \$ _____ 0.00

5. Construction:

_____ \$ _____ 0.00

_____ \$ _____ 0.00

Total Construction: \$ _____ 0.00

Total Applicant Match (#1 through #5): \$ _____ 6,700.00

PART F - APPROVED MUNICIPAL RESOLUTIONS

1. *Greenway Community Resolution or Greenway Compact Local Law:*

Please attach a copy of the adopted municipal resolution endorsing the community's designation as a *Greenway Community*. A municipality must be a *Greenway Community* to receive funding under the Greenway Communities Grant program. For municipalities applying for a Greenway Compact Communities Grant, please attach a copy of the local law by which your community adopted the relevant county or regional Greenway Compact Plan.

2. *Municipal Grant Request Resolution*:*

An approved municipal resolution authorizing and endorsing this grant application must be provided before the application can be considered complete. A sample Municipal Grant Request resolution supporting a grant application is presented below:

Sample Municipal Resolution

WHEREAS, the _____ (name of municipality) is applying to the Hudson River Valley Greenway for a grant under the Hudson River Valley Greenway Grant Program for a project entitled _____ (Project Name from Part C #1) to be located in _____ (town/village or city),

WHEREAS, the grant application requires the applicant municipality to obtain the approval/endorsement of the governing body of the municipality or municipalities in which the project will be located;

NOW, THEREFORE, be it resolved that the governing board of _____ (municipality) hereby does approve and endorse the application for a grant under the Hudson River Valley Greenway Grant Program, for a project known as _____ (Project Name from Part C #1) and located within this community.

_____ Date of Adoption

_____ Name of Municipal Clerk _____ Signature

*Note: If your Board does not meet until after the application deadline, please complete the following:

The municipal board will be considering a resolution for this project to be voted on the following date: JAN. 07, 2016. The resolution will be sent to the Greenway office within 48 hours of this meeting date.

PART G - CERTIFICATION

Elected Official Certification: Please read and sign the following. Digital signatures are acceptable.

"I hereby affirm under penalty of perjury that information provided on this form and attached statements and exhibits is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal law."

Applicant Name: Louis A Rosamilha

Title: MAYOR

Signature: Louis A Rosamilha

Date: 12/4/2015

Application Requirements & Checklist

All materials must be **postmarked or received via email by 5:00 pm on the grant deadline** for the application to be considered complete. Failure to include any of the required elements may make the application ineligible.

Instructions for hard copy submissions:

If making a hard copy submission please submit: One (1) complete original hard copy application packet including all required materials

AND one (1) digital version of the application packet on a CD-ROM

The application packet **must** contain the following to be considered complete:

- ☒ 1) **Applicant is a Greenway Community or Greenway Compact Community AND has no other existing awarded grants under the category for which this application is to be submitted**
- ☒ 2) **Completed Application forms including signature by Elected Official**
- ☒ 3) **Municipal Grant Request Resolution or Pending Resolution Certification (See Part F)**
- ☒ 4) **Supporting Information:** Where appropriate, include maps, photos, plans, drawings and other documents that highlight the need for this project.
- ☒ 5) **Letters of support** or participation from co-applicants or partners

Application materials will not be returned to the applicant.

Hard copy: (1) original hard copy and (1) CD ROM with completed application and related materials must be submitted to the following address:

***Address:** Hudson River Valley Greenway
625 Broadway - 4th Floor
Albany, NY 12207

OR

Email: Please email full application packet to [hrvg@hudsongreenway.ny.gov](mailto:hrv@g@hudsongreenway.ny.gov)

***Please note that due to building security, for hand delivery you must contact the Hudson River Valley Greenway office ahead of time to arrange delivery at 518-473-3835.**

Uncle Sam Bikeway

Northern terminus of trail at Northern Drive / Rte 142

The northern access point of the trail does not include identifying signage, and there is no wayfinding information for trail users, other than a standard MUTCD “Bike Route” sign (below). An informal parking area is located out of view from the main roadway, does not have identifying signage, and is subject to problem uses. Access to the trail by motorized vehicles is uncontrolled, and vehicular use on the trail is evidenced by tire tracks, rutting, and vehicle-related litter.

Formalization of this primary access point (as with other access points) would help distinguish the trail, while also integrating it more effectively into the transportation system. The net effect will be to transform it into a 3.5-mile urban linear park, and an asset for surrounding neighborhoods and businesses – and for the city overall.



Trail design standards & trail maintenance

Conditions such as trail width, surface material, drainage and overall maintenance vary widely along the trail. A comprehensive approach to trail planning will be required to characterize and locate these

issues, and also identify ways of engaging trail users, the surrounding community and other stakeholders to help address them effectively. The trail section shown below is located near the northern terminus; it includes a scale showing the AASHTO 10-foot width standard for shared use paths.



Knickerbacker Park

The trail midsection adjoins the park's rear boundary, and also runs behind Lansingburgh Senior High School, Knickerbacker Middle School and Rensselaer Park Elementary School, which are immediately adjacent to the park. The park monument stands alongside the trail atop a hill overlooking all four sites, presenting a strong opportunity for park, school and neighborhood connections.



Glen Court neighborhood access

The trail (located at top of grassy slope) is not identified by signage or other means, and is not distinguished from adjoining residential roads (foreground). The trail here (as elsewhere) is surrounded by residential neighborhoods and businesses. Trail safety and "user-friendliness" could be enhanced by features such as identifying signage, vehicle control, wayfinding information (on the trail as well as

nearby streets), and development of clearly-defined strategies for risk reduction and emergency response.



Gurley Ave (114th St) trail crossing and existing trailhead

The trail's only purpose-built trailhead and paved parking lot does not include identifying signage, crosswalk or wayfinding information. This section of trail has been upgraded recently, but trail identity, crossing safety and linkage with nearby residential areas could be greatly improved.

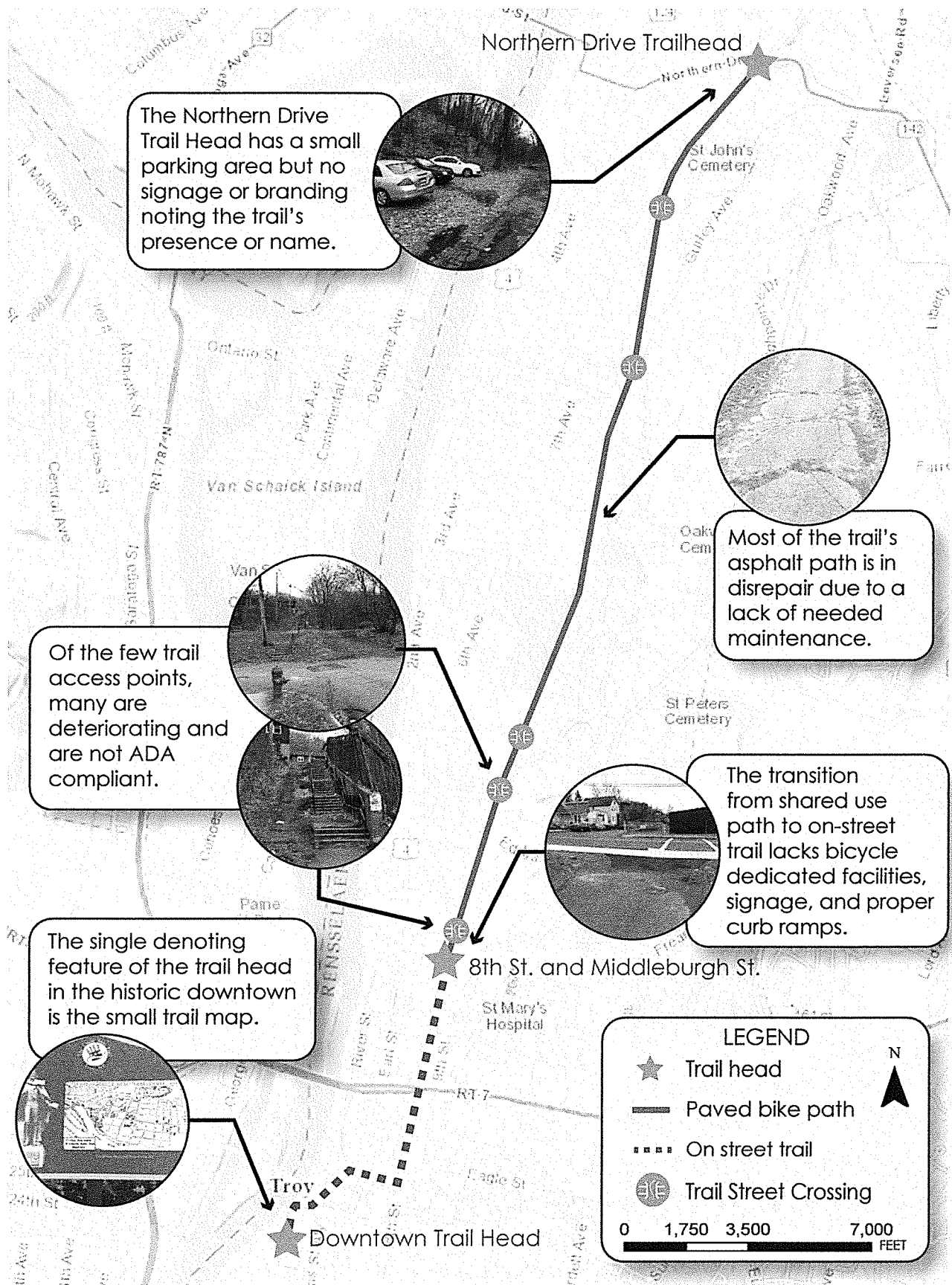


Trail Southern terminus at Middleburgh Street

The southern access point of the trail terminates at a sidewalk and street crossing. It is an important transition point between the trail and the street-and-sidewalk system, but the site does not include identifying signage or wayfinding information. The proximity of this location to downtown Troy makes this an especially important target for integrating the trail into the rest of the city fabric.

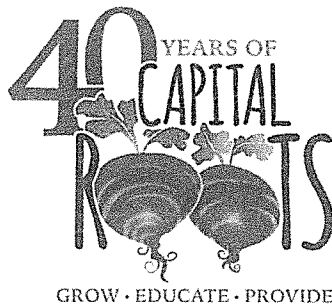
A scale illustrating the AASHTO 10-foot width standard is also shown.





Professional Volunteer Hours

Title	Name	Rate	Hours	Total
Associate, Alta	Lindsay Zefting	\$ 125	24	\$ 3,000
Executive Director, TAP	Barb Nelson	\$ 50	24	\$ 1,200
Capital Roots	Capital Roots Staff (Erin and Will)	\$ 50	32	\$ 1,600
National Park Service	Karl Beard	\$ 45	20	\$ 900
	average rate	\$ 67	100	\$ 6,700



December 4, 2015

To Whom It May Concern:

I am writing in support of the City of Troy's application for assistance from the Hudson River Valley Greenway Grant Program.

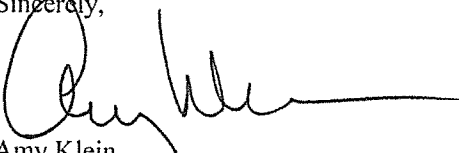
For four decades Capital Roots has called the City of Troy home and committed to improving the public health of city residents, as well as, those of the greater Capital Region. Within the City of Troy our organization operates 16 community gardens, an urban farm run in part by students from Troy High School, a Healthy Stores Program, which facilitates the sale of fresh produce in corner markets, and operates two mobile produce markets that bring fresh fruits and vegetables to sell in 11 of Troy's low-income neighborhoods. Additionally, much of our staff commutes to work either on foot or by bike and are dependent on safe routes.

The City of Troy, by investing their time and efforts into the Uncle Sam Trail, is making a commitment to the health and well-being of all Troy citizens, as well as the health of the city as a whole. It is well known that cities, which improve upon their walkability and bike-ability improve not only the quality of life of their residents but help to nurture and grow the local economy through business development and increased tourism.

As an organization focused on promoting good health in Troy, Capital Roots offers its services to the City of Troy as a grant funding match.

Capital Roots is happy to recommend the City of Troy for assistance from the Hudson River Valley Greenway Grant Program in order to take the steps necessary to make the Uncle Sam Trail more accessible and usable.

Sincerely,



Amy Klein
Executive Director



TAP, Inc.



Troy Architectural Program, P.C.

210 River Street
Troy, NY 12180

tel (518) 274-3050
fax (518) 274-3165

December 4, 2015

To Whom It May Concern:

TAP pledges support for the City of Troy's application for assistance from the Hudson River Valley Greenway Grant Program to develop a planning document for Uncle Sam Trail.

As the Capital Region's Community Design Center, TAP provides architectural, urban planning and historic preservation assistance to low and moderate income individuals and the organizations which serve them. Our work promotes sustainable change to the built environment from individual buildings to neighborhood and regional scale. Through active partnerships with residents, businesses, neighborhood associations and institutions we design, advocate and implement strategies for improving the quality of life in the Capital Region distressed communities.

I co-founded the Transport Troy citizens working group in 2013, and TAP is now a fiscal sponsor of Transport Troy. TAP's prior director spearheaded the Troy Riverfront Bike/Ped Trail development which will connect all of South Troy to the southernmost point of the Uncle Sam Trail when it is constructed this summer. With these trails established and connected, the people of Troy will have a safe biking and walking route which runs the 7 mile length of the city. This will undoubtedly promote a healthier, more active lifestyle while serving as a transportation corridor connecting area residents to schools, parks, and businesses.

TAP is proud to be a part of the Complete Streets movement here in Troy. We enthusiastically recommend the City of Troy for funding from the Hudson River Valley Greenway Grants Program and we pledge to support this effort with professional expertise.

Sincerely,

Barb Nelson, AIA
Executive Director, TAP

www.tapinc.org

Transport Troy

December 4, 2015

To Whom It May Concern:

We are writing in support of the City of Troy's application for assistance from the Hudson River Valley Greenway Grant Program.

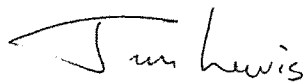
Transport Troy is an active, volunteer citizen's group, made up of planning professionals and interested citizens, founded in 2012 with the desire to promote alternative transportation within the city of Troy. The purpose being that all city residents should have the ability to live a healthier, more sustainable lifestyle. Simultaneously, the promotion of alternative transport will improve economic access and support community development within the city. By expanding Troy's accessibility we will raise the quality of life for local residents, boost the city's economy, and increase citizen involvement and enjoyment.

As Troy prepares to construct the Riverfront Trail through South and Central Troy, improvements to the Uncle Sam Trail give us a cohesive, well planned north-south backbone running from the Menands Bridge to the tip of North Troy. These developments are part of Troy's commitment to safe and accessible walking and biking through a city-wide alternate transportation network. This web of trails connects residents and visitors alike to schools, parks, businesses and recreational areas, improving Troy's social and economic well-being.

As a group of citizens of Troy, led in part by planning professionals, Transport Troy offers its services to the City of Troy as a grant funding match.

Transport Troy is happy to recommend the City of Troy for funding from the Hudson River Valley Greenway Grants Program. We pledge our volunteer effort to make the Uncle Sam Trail more accessible and usable.

Sincerely,



Jim Lewis
Co-Chair, Transport Troy
198 First St.
Troy, NY 12180



Barb Nelson
Co-Chair, Transport Troy
210 River Street
Troy, NY 12180

National Park Service

Rivers, Trails & Conservation Assistance Program

Roosevelt-Vanderbilt National Historic Sites



4097 Albany Post Road, Hyde Park, NY 12538 845-229-9115 x2034 fax 845-229-7115

December 4, 2015

Hudson River Valley Greenway
625 Broadway - 4th Floor
Albany, NY 12207

**Subject: City of Troy Application for Hudson River Valley Greenway Grant for
Uncle Sam Bikeway Planning**

To the Grants Review Committee:

The National Park Service's *Rivers, Trails and Conservation Assistance Program* (NPS-RTCA) supports the City of Troy's application for grant assistance from the Hudson River Valley Greenway, to support planning for the long-term enhancement and sustainability of the Uncle Sam Bikeway.

NPS-RTCA provides technical assistance to states, communities and not-for-profit groups to establish and protect river, trail, park and open space systems which lie outside the boundaries of the National Park system. For the last two years, RTCA has worked with the City, the Transport Troy working group and other partners to help plan and promote the concept of weaving together the City's considerable assets into a coherent, city-wide system of public paths, parks, preserves and complete streets.

The partnership established by Transport Troy has been extremely productive. The group helped resurrect funding for the Riverfront Trail, and worked closely with the City and NYS-DOT to get the project back on track after a hiatus of nearly 20 years. The Complete Streets ordinance written by the group and adopted by the City in 2014, was rated #2 nationwide by the National Complete Streets Coalition. Community-based "Pre-Ramble" events have helped boost the profile of walkability and bike-ability in the City. Substantial in-kind support has been provided by volunteers and local nonprofits. More recently, both TAP and Capital Roots have committed significant staff support. And CDTA has become an active participant in Transport Troy dialog and events.

The 3.5-mile Uncle Sam Bikeway is an asset that has been underestimated and underserved for many years – much like the City itself. Although the trail's name reflects one of America's most iconic figures, the reality on the ground has been very different. The current proposal would help to enhance the trail's image – at least locally, but perhaps even nationally. But far more importantly, it would initiate a process through which the trail can become more completely integrated into the neighborhoods it traverses, and become more fully embraced by the people it serves. Better signage,

safer street crossings, improved parking and lateral access, and improved wayfinding information are all important. But what is more important and more effective is outreach to key neighbors and stakeholders, actively engaging them in the process of making tangible improvements. We agree with the Transport Troy partners that this project can help create near-term successes that will help foster momentum elsewhere around the City for years to come.

NPS-RTCA will continue to work with the Transport Troy coalition for the upcoming year in any case. But RTCA's capacity and leverage is limited. And in this particular city, especially focusing on this particular community resource, Greenway funding assistance would be an important catalyst for broader change. We would welcome your support.

Sincerely,

A handwritten signature in black ink, appearing to read "Karl Beard". The signature is fluid and cursive, with the first name "Karl" and last name "Beard" clearly distinguishable.

Karl Beard
NY Upstate Projects Director
NPS Rivers, Trails & Conservation Assistance Program

**RESOLUTION CONFIRMING THE APPOINTMENT OF MONICA KURZEJESKI AS
DEPUTY MAYOR**

WHEREAS, Section C-51 of the Troy City Charter states that all appointments by the Mayor shall be made in writing and filed in the Office of the City Clerk; and

WHEREAS, Section C-50 of the Troy City Charter states that the mayor's appointments of all department heads shall be subject to confirmation by the City Council; and

WHEREAS, the Troy City Charter § C-46 states that there shall be a Deputy Mayor; and

WHEREAS, the Mayor has appointed Monica Kurzejeski to the position of Deputy Mayor; and

WHEREAS, Ms. Kurzejeski appears to the City Council to be well qualified for the position of Deputy Mayor.

NOW THEREFORE, BE IT RESOLVED, that the City Council does hereby confirm the Mayor's appointment of Monica Kurzejeski to the position of Deputy Mayor.

Approved as to form, December 7, 2015

Ian H. Silverman, Esq., Corporation Counsel

**RESOLUTION CONFIRMING THE APPOINTMENT OF KEVIN GLASHEEN AS
CORPORATION COUNSEL**

WHEREAS, Section C-51 of the Troy City Charter states that all appointments by the Mayor shall be made in writing and filed in the Office of the City Clerk; and

WHEREAS, Section C-50 of the Troy City Charter states that the mayor's appointments of all department heads shall be subject to confirmation by the City Council; and

WHEREAS, the Troy City Charter § C-76 states that there shall be a Corporation Counsel; and

WHEREAS, the Mayor has appointed Kevin Glasheen to the position of Corporation Counsel; and

WHEREAS, Mr. Glasheen appears to the City Council to be well qualified for the position of Corporation Counsel.

NOW THEREFORE, BE IT RESOLVED, that the City Council does hereby confirm the Mayor's appointment of Kevin Glasheen to the position of Corporation Counsel.

Approved as to form, December 7, 2015

Ian H. Silverman, Esq., Corporation Counsel

**RESOLUTION ADOPTING A NEGATIVE DECLARATION
FOR THE CITY OF TROY 2015 WATER MAIN REPLACEMENT PROJECT**

WHEREAS, the City Council has before it the 2015 Water Main Replacement Project, and have reviewed the project in accordance with the New York State Environmental Quality Review Act. (SEQRA)

WHEREAS, this Council, is the only involved Agency and has determined that it is the Lead Agency; and

WHEREAS, this Council has classified the project as a Type II for the purposes of SEQRA under Part 617.5 (c) (11) and (15) which state a project may be classified as a Type II project if it includes:

(11) Extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list;

(15) Minor temporary uses of land having negligible or no permanent impact on the environment;

WHEREAS, the Mayor has prepared and completed the (short) Environmental Assessment Form; and

WHEREAS, this Council having thoroughly reviewed the Environmental Assessment Form and considered each and every impact in accordance with SEQRA;

BE IT RESOLVED

1. That the completion of this project will not have a negative impact on the environment
2. That the City Council adopts a Negative Declaration.
3. That this resolution shall take effect immediately.

STATE OF NEW YORK: COUNTY OF RENSSELAER: ss.:

I, the undersigned City Clerk of the City of Troy, **DO HEREBY CERTIFY**, that I have compared the above copy of a resolution with the original resolution adopted by the City Board of said City on the ____ day of _____, 2015, at a regular monthly meeting of said Board, and said copy is a true copy of said resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this ____ day of _____, 2015.

Signature

Printed

City Clerk, City of Troy

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT FOR
THE BENEFIT OF NIAGARA MOHAWK POWER CORPORATION**

WHEREAS, Niagara Mohawk Power Company and Verizon New York Inc. require a perpetual easement, attached hereto and made a part hereof, in connection with the Sunnyside Senior Apartments, and

WHEREAS, the Mayor desires to grant the perpetual easement;

NOW THEREFORE BE IT RESOLVED, the City Council of the City of Troy hereby authorizes the Mayor to execute the Easement, in substantial conformance with the Easement attached hereto and made a part hereof.

Approved as to form, December 11, 2015

Ian H. Silverman, Corporation Counsel



HERE WITH YOU. HERE FOR YOU.

Kathleen M. Gabriel, Right-of-Way Agent

Real Estate Asset Management
1125 Broadway, Albany, NY 12204
Office Phone: (518) 433-3971
Kathleen.Gabriel@nationalgrid.com
Web: www.nationalgrid.com

November 24, 2015

Paul Carrol
City of Troy
433 River St.
Troy, NY 12180

Dear Mr. Carrol:

**Re: 2 House Ave.(Sunnyside Senior Apts.)
ESR # 19564471**

Enclosed is the easement that is required to process your application. Please sign the easement for your property exactly as indicated on the document. All easements need to be signed in front of a notary public.

IN ADDITION, MAKE NO CHANGES to the documents. PLEASE DO NOT REMOVE THE MAP FROM THIS DOCUMENT.

Once the easement is signed and notarized, please return the executed easement in the self-addressed, postage paid envelope that has been provided.

Until we are in receipt of the completed documents, fully signed and notarized, without any changes, your application can not move forward.

If you have any questions regarding the easements, please contact me at the number below. If you have any other questions, please contact your customer order fulfillment rep. at 1-800-260-0054.

Very truly yours,

Kathleen M. Gabriel

**Kathleen M. Gabriel
Right-of-Way Agent
National Grid USA**

KMG/hjm
Enclosures

nationalgrid _____ HERE WITH YOU, HERE FOR YOU.

GRANT OF EASEMENT

CITY OF TROY of 433 River St., Troy, NY 12180 (hereinafter referred to as "Grantor"), for consideration of One Dollar (\$1.00), and other valuable considerations paid, the receipt and sufficiency of which are hereby acknowledged under seal, hereby grants to NIAGARA MOHAWK POWER CORPORATION, a New York corporation, having an address at 300 Erie Boulevard West, Syracuse, New York 13202 and VERIZON NEW YORK INC., having an address of 140 West Street, New York, New York 10007, (hereinafter collectively referred to as "Grantees"), for Grantees and their lessees, licensees, successors, and assigns, the perpetual right and easement as described in Section 1 below (the "Easement") in, under, through, over, across, and upon the Grantor's land, as described in Section 2 below (the "Grantor's Land").

Section 1 – Description of the Easement. The "Easement" granted by the Grantor to the Grantees consists of a perpetual easement and right-of-way, with the right, privilege, and authority to:

- a. Construct, reconstruct, relocate, extend, repair, maintain, operate, inspect, patrol, and, at their pleasure, remove any poles or lines of poles, supporting structures, cables, crossarms, overhead and underground wires, guys, guy stubs, insulators, transformers, braces, fittings, foundations, anchors, lateral service lines, communications facilities, and other fixtures and appurtenances (collectively, the "Facilities"), which the Grantees shall require now and from time to time, for the transmission and distribution of high and low voltage electric current and for the transmission of intelligence and communication purposes, by any means, whether now existing or hereafter devised, for public or private use, in, upon, over, under, and across that portion of the Grantor's Land described in Section 3 below (the "Easement Area"), and the highways abutting or running through the Grantor's Land, and to renew, replace, add to, and otherwise change the Facilities and each and every part thereof and the location thereof within the Easement Area, and utilize the Facilities within the Easement Area for the purpose of providing service to the Grantor and others;
- b. From time to time, without further payment therefore, clear and keep cleared, by physical, chemical, or other means, the Easement Area of any and all trees, vegetation, aboveground or belowground structures, improvements, or other obstructions and trim and/or remove other trees and vegetation adjacent to the Easement Area that, in the opinion of one or both of the Grantees, may interfere with the construction, operation, and maintenance of the Facilities. The first clearing may be for less than the full width and may be widened from time to time to the full width;
- c. Excavate or change the grade of the Grantor's Land as is reasonable, necessary, and proper for any and all purposes described in this Section 1; provided, however, that the Grantees will, upon completion of their work, backfill and restore any excavated areas to reasonably the same condition as existed prior to such excavation; and
- d. Pass and repass along the Easement Area to and from the adjoining lands and pass and repass over, across, and upon the Grantor's Land to and from the Easement Area, and construct, reconstruct, relocate, use, and maintain such footbridges, causeways, and ways of access, if any, thereon, as is reasonable and necessary in order to exercise to the fullest extent the Easement.

Section 2 – Description of Grantor's Land. The "Grantor's Land" is described in a certain Deed recorded in the Rensselaer County Clerk's Office in Liber 1321 of Deeds at Page 59 and consists of land described as being part of Tax Parcel No. 90.32-1-2 of the Town of Troy, County of Rensselaer, New York, commonly known as 118th St. and Tax Parcel No. 90.63-3-2 commonly known as 11 Crasin Ave.

Section 3 – Location of the Easement Area. The "Easement Area" shall consist of a portion of the Grantor's Land 20 feet in width throughout its extent, the centerline of the Easement Area being the centerline of the Facilities. The general location of the Easement Area is shown on the sketch entitled, "Work Request # 19564471" which sketch is attached hereto as Exhibit A and recorded herewith, copies of which are in the possession of the Grantor and the Grantees. The final and definitive location(s) of the Easement Area shall become established by and upon the final installation and erection of the Facilities by the Grantees in substantial compliance with Exhibit A hereto.

Section 4 – Facilities Ownership. It is agreed that the Facilities shall remain the property of the Grantees, their successors and assigns.

Section 5 – General Provisions. The Grantor, for itself, its heirs, legal representatives, successors, and assigns, hereby covenants and agrees with the Grantees that no act will be permitted within the Easement Area which is inconsistent with the Easement hereby granted; no buildings or structures, or replacements thereof or additions thereto, swimming pools, or obstructions will be erected or constructed above or below grade within the Easement Area; no trees shall be grown, cultivated, or harvested, and no excavating, mining, or blasting shall be undertaken within the Easement Area without the prior written consent of the Grantees; the Easement shall not be modified nor the Easement Area relocated by the Grantor without the Grantees' prior written consent; the present grade or ground level of the Easement Area will not be changed by excavation or filling; the Grantees shall quietly enjoy the Grantor's Land; and the Grantor will forever warrant title to the Grantor's Land.

The Grantees, their successors and assigns, are hereby expressly given and granted the right to assign this Easement, or any part thereof, or interest therein, and the same shall be divisible between or among two or more owners, as to any right or rights created hereunder, so that each assignee or owner shall have the full right, privilege, and authority herein granted, to be owned and enjoyed either in common or severally. This Grant of Easement shall at all times be deemed to be and shall be a continuing covenant running with the Grantor's Land and shall inure to and be binding upon the successors, heirs, legal representatives, and assigns of the parties named in this Grant of Easement.

IN WITNESS WHEREOF, the Grantor has duly executed this Grant of Easement under seal this _____ day of _____, 20____.

City of Troy

Signature of Grantor

Title

State of _____

County of _____

On the ____ day of _____ in the year 20____, before me, the undersigned, personally **appeared** _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

Complete for ALL Grantors:

Please print name and address of Grantor(s) (If Grantor is other than an individual(s), print name and address of Company and include name and title of signer):

Name(s): _____

Company: City of Troy

Title: _____

Address: 433 River St.

City/Village/Town: Troy

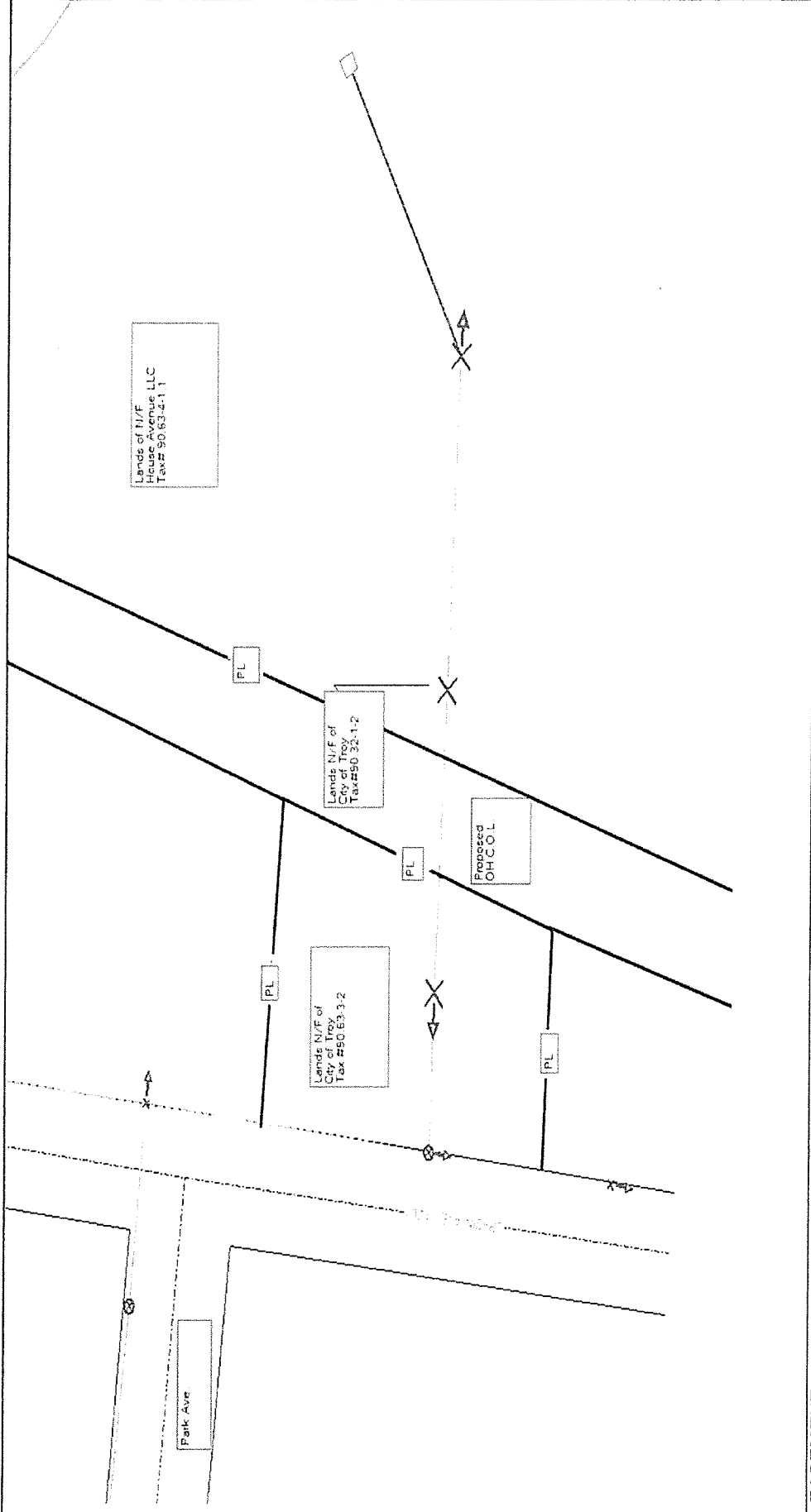
State: NY **Zip Code:** 12180

For County Clerk Only:

PLEASE RECORD & RETURN TO:

National Grid
Attention: Jane Catalano, Manager
Real Estate Energy Delivery Support
1125 Broadway
Albany, NY 12204

Work Request # 31-15-19564471(7301)



EASEMENT EL WR# 19564471	EASEMENT SKETCH – EXHIBIT A	NOT TO SCALE
Electric Work Request El. Planner: Carl Bonacquisti ROW Agent: Date: 11/16/2015	Sketch for the Installation on Lands of Lands N/F City of Troy Tax Map# 90.32-1-2 City of Troy County Of Rensselaer	nationalgrid Albany Right of Way and Real Estate Department

**RESOLUTION RECOGNIZING JANUARY AS HUMAN TRAFFICKING AWARENESS
MONTH**

WHEREAS, The Troy City Council recognizes that Human Trafficking is a growing problem worldwide and that New York State has been identified as a hub for human trafficking activity; and

WHEREAS, human trafficking – a form of modern-day slavery, involves the commercial exchange and exploitation of humans including forced prostitution, sexual exploitation, forced labor, involuntary servitude, debt bondage and other methods of slavery; and

WHEREAS, human trafficking predators target those that are most vulnerable, including an estimated two million children who are trafficked for child labor and sexual exploitation; and

WHEREAS, victims of human trafficking suffer severe emotional, psychological and physical terrors at the hands of their captors who instill fear to keep them enslaved; and

WHEREAS, the Troy City Council is dedicated to protecting the citizens in our communities from human trafficking and ending this horrible crime through continued prevention, prosecution, education and awareness; and

WHEREAS, the Troy City Council is committed to sending a strong message to perpetrators that Human Trafficking will not be tolerated in our community; and

WHEREAS, the United States Senate passed S. RES. 382 which aims to raise awareness about human trafficking. This Resolution recognizes the month of January as significant for modern slavery and human trafficking. January 1st is the anniversary of the effective date of the Emancipation Proclamation and February 1st is the anniversary of the date that President Abraham Lincoln signed the joint resolution sending the 13th Amendment to the States for ratification; and

WHEREAS, the United States Senate passed S.Con.Res. 40 (110th), recognizing January 11th as a “National Day of Human Trafficking Awareness.” as a day that many have chosen to commemorate human trafficking.

NOW, THEREFORE BE IT RESOLVED, that the Troy City Council observes January as Human Trafficking Awareness Month.

AND BE IT FURTHER RESOLVED, that the Troy City Council encourages all New York Municipalities to adopt resolutions that can be shared in their communities that recognize January as Human Trafficking Awareness month.

Approved as to form, December 8, 2015

Ian H. Silverman, Esq., Corporation Counsel